

DOUGLAS SCHOOL DISTRICT
BOARD OF EDUCATION

AGENDA

Monday, January 24, 2022

**VANDENBERG ELEMENTARY SCHOOL - Library Conference Room
561 Briggs Street
Box Elder, SD 57719**

5:00 PM

DOUGLAS SCHOOL DISTRICT INVITES YOU TO ATTEND A SCHEDULED ZOOM ROOM MEETING:

Join Zoom Meeting

<https://sdk12.zoom.us/j/99177926453?pwd=WkdIMHR6NklnRjNxbEdnWUdOUVpiQT09>

Meeting ID: 991 7792 6453

Passcode: 110160

1. Call Meeting To Order:
2. Pledge of Allegiance and Moment of Silence In Honor Of Fallen Soldiers And Active Duty Persons:
3. Recognition:
4. Public Forum:
5. Approval of Agenda:
6. Consent Agenda Items:
 - A. Approval of Regular Meeting Minutes of January 10, 2022.
 - B. Approve Personnel Action
 - C. Approve Financial Reports
 - D. Approve the Purchases and Issuing of Accounts Payable.
 - E. Approve South Dakota High School Activities Association's Softball Intent to Participate form.
 - F. Approve Conflict Disclosures and Waiver Authorizations Pursuant to SDCL 3-23-3
7. Items Removed From Consent Agenda

8. Elementary and Secondary Curriculum and Instruction Items:
 - A. Approve Academic Calendars for 2022-23 and 2023-24 School Years.
9. Superintendent Items:
 - A. Approve Makeup Day for Weather Day on January 21, 2022.
 - B. Funding Source Review For Growth and Expansion
10. Fiscal Resources Items:
11. Operational Support Services Items:
 - A. Hear First Reading of Revised Board Policy ACAA - Sexual Harassment
 - B. Hear First Reading of Revised Administrative Regulation ACAA-R - Sexual Harassment
 - C. Hear First Reading of Exhibit ACAA-E(1) Sexual Harassment Complaint Form
 - D. Hear First Reading of Exhibit ACAA-E(2) Sexual Harassment Complaint Appeal to the Superintendent
 - E. Hear First Reading of Exhibit ACAA-E(3) Sexual Harassment Complaint Appeal to the School Board.
 - F. Hear First Reading of Revised Board Policy JEAA - Student Alternative Instruction
 - G. Consider Removal of Board Policy Exhibit JEAA-E- Application for Public School Exemption Certificate.
 - H. Hear First Reading of Revised Board Policy INDA - Patriotic Exercises / Flag Displays
 - I. Hear Second Reading and Approve Revisions to Board Policy JFB - Education of Homeless Children.
 - J. Approve School Resource Officer Job Description
12. Reports:
 - A. Superintendent - District and Like Sized District Data Preview/Review
 - B. Committee Reports From Board Members and Comments from Associate Board Members
13. Upcoming Calendar Events:
 - January 26 - Elementary Design Meeting
 - February 14 - BOE Meeting

14. Adjournment

BOARD POLICY

Section B

Board Governance and Operations

File: BDDH

PUBLIC PARTICIPATION AT BOARD MEETINGS

The School Board recognizes and respects the input which may be provided by the public on school district matters. The Board also recognizes and respects the distinction between a school board meeting and a public meeting.

- At a school board meeting which is open to the public, members of the public may be present, observe and listen to the school board conduct its business and may speak during the school board meeting consistent with this policy.
- At a public meeting/hearing there is usually one topic to be presented by the District and discussed. The public is given the opportunity to speak and be heard on the topic which is the reason for the public meeting. This type of meeting allows for public participation under the rules designed specifically for that meeting and is not subject to this policy.

Policy BDDH, Public Participation at Board meetings, applies only to topics addressed in open/public. Matters addressed in executive session pursuant to SDCL 1-25-2 are not open to the public.

Persons speaking during the Public Forum at a school board meeting shall not cause public inconvenience, annoyance, or alarm to the school board or any person, and shall not engage in threatening behavior, make unreasonable noise, be disruptive, boisterous, argumentative, or threatening, shall not make comments which are disrespectful to one or more persons, and shall not use profanity.

The time designated for Public Forum on the agenda shall be immediately before the adoption of the meeting agenda by the school board.

In order to assure that the Board may conduct its meetings in a respectful and efficient manner, the procedure for public participation at regularly scheduled monthly school board meetings is as follows:

1. Agenda and Non Agenda Items:
 - a. Before the meeting is called to order, an individual who desires to speak at a school board meeting must in writing inform the Superintendent, the Business Manager or the Board President of the person's desire to speak and the topic upon which the person intends to speak. The requesting party must sign a form (prepared by the school district) with their name, address, email and topic to be addressed.
 - b. During the time designated for Public Forum, the Board President will recognize the person who signed up to speak and the person may speak on the topic according to the rules set forth in this policy.

BOARD POLICY

Section B

Board Governance and Operations

File: BDDH

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- c. A speaker shall be granted 5 minutes to present comments to the school board. Upon receiving a request for an extension of time from the speaker, the school board, upon a motion being made and passed by a majority of school board members present and voting, may grant an additional amount of time not to exceed 5 minutes. Additional extensions may be granted only upon a two-thirds vote of school board members present and voting.
 - d. Should a number of persons wish to address the school board on the same agenda item, or should the comments become repetitious, the School Board President, in the President's sole discretion, may shorten the time for comments to two minutes per person in order that persons wishing to address the school board may be heard and still allow the school board sufficient time to conduct its agenda business.
2. Adding an Item to the School Board Meeting Agenda in Order to Request Specific School Board Action:
- a. Any person or delegation (with one person being the spokesperson for the delegation) making a specific request to the school board which would require formal action by the school board must present a written request to the Superintendent for the item to be placed on the school board meeting proposed agenda. The written request must be submitted to the Superintendent at least five calendar days before the school board meeting.
 - b. The specific request to add an item to the agenda shall clearly identify what is being requested and why, signed by the person making the request, and include the person's name, address, email and telephone number.
 - c. The Superintendent will forward the request to the School Board President and the Board President will decide whether the item will be placed on the proposed agenda. Whether any item is to be addressed at the school board meeting is determined by a majority of school board members at the beginning of the school board meeting when the school board adopts the proposed agenda as printed or adopted after being modified.
 - d. If the item on the meeting agenda is adopted by the school board, the person or spokesperson for the delegation who has submitted the request for specific school board action will be granted 10 minutes to explain the request to the school board. Upon receiving a request for an extension of time from the speaker, the school board, upon a motion being made and passed by the majority of school board members present, may grant an additional amount of time not to exceed 5 minutes. Additional extensions may be granted only upon a two-thirds vote of school board members present and voting.

BOARD POLICY

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e. In the sole discretion of the school board, requests to the school board for specific action submitted after the proposed agenda has been posted may be:

- deferred until the next regular meeting or a special school board meeting, or
- added to the meeting agenda for discussion purposes only, or
- added to the agenda for discussion and possible action.

3. Authority of Presiding Officer:

The Board vests in its presiding officer the authority to terminate the right of any person to speak at the end of the time granted pursuant to provision 1.c, provision 1.d, or provision 2.d. as set forth in this policy. The presiding officer may also terminate the right of a person to speak at a school board meeting should the person cause public inconvenience, annoyance, or alarm to the school board or any person, engage in threatening behavior, make unreasonable noise, disturb or be disruptive of an official school board meeting, or when comments are disrespectful to one or more persons, boisterous, argumentative, threatening, or contain profanity.

If deemed necessary by the presiding officer, the presiding officer may contact local law enforcement to have a person removed from the school board meeting as it is a violation of law for a person to intentionally cause or create a risk of serious public inconvenience, annoyance, alarm or disturbance at a school board meeting.

References	Adoption History
State Reference:	Approved 09/08/77
SDCL 1-25-1	First Reading of Revision 10/10/85
SDCL 1-25-2	Approved – Revision 11/14/85
SDCL 13-32-6	First Reading 11/17/14
SDCL 13-8-39	Approved 12/08/14
SDCL 22-18-35(3)	First Reading – Rewrite 2/13/17
	Approved 2/27/17

MINUTES
DOUGLAS SCHOOL DISTRICT
BOARD OF EDUCATION MEETING

Monday, January 10, 2022

The Douglas School District No. 51-1 Board of Education held a regular meeting on Monday, January 10, 2022 at 5:00 PM in the library conference room at Vandenberg Elementary School, Box Elder, South Dakota. President Cathleen Melendez presided. Those present were:

Ben Frerichs: Present, Tanya Gray: Present, Amy McGovern: Present, Cathy Melendez: Present, Chris Misselt: Present.

All actions in these Minutes were by unanimous vote unless otherwise stated.

President Melendez called the meeting to order at 5:00 p.m.

There was nothing for Public Forum.

Motion to approve the agenda. This motion, made by Amy McGovern and seconded by Tanya Gray, Carried.

Motion to approve the consent agenda. This motion, made by Ben Frerichs and seconded by Amy McGovern, Carried.

Approved Regular Board Meeting Minutes of December 13, 2021.

Approved Personnel Action for January 10, 2022. (Attachment)

Approved November 2021 Financial Reports. (Attachment)

Approved Accounts Payable Report and December Payroll Report. (Attachments)

Approved accepting a donation from A & J Screenprinting for Douglas High School Boys' and Girls' Varsity Basketball Uniforms.

There were no conflicts disclosed as defined in SDCL 3-23.

Superintendent Items:

This past Friday, Superintendent Kevin Case and Communications Coordinator Katy Urban visited all the buildings to speak to staff regarding the foundational beliefs and our growth. The landscape in Box Elder is changing on almost a daily basis. It underlines the urgency for the District to continue the planning phases for the new high school and elementary school buildings to accommodate the growth, in order to be ready to break ground when funding is secured.

The first design meeting for Elementary School #1 was held on Thursday, December 9, 2021. There was a great turnout for the meeting with about 40 participants in attendance. We also received feedback from a number of staff and patrons via Thought Exchange. The next meeting is scheduled for January 12, 2022.

Motion to approve Student Assignment Request as recommended to attend Douglas School District for the 2021-22 school year. This motion, made by Chris Misselt and seconded by Ben Frerichs, Carried.

Fiscal Resources Items:

Motion to approve the following resolution: BE IT RESOLVED that the Douglas Board of Education, in accordance with Board Policy BBB, hereby sets the Douglas School District Board Election for June 7, 2022 at Vandenberg Elementary School. Polls will be open from 7:00 a.m. until 7:00 p.m. This motion, made by Tanya Gray and seconded by Ben Frerichs, Carried.

Operational Support Services Items:

Motion to approve first reading of revisions to Board Policy JFB - Education of Homeless Children. This motion, made by Tanya Gray and seconded by Amy McGovern, Carried.

Motion to approve new Board Policy DIBGA - Custodial Funds. This motion, made by Chris Misselt and seconded by Ben Frerichs, Carried.

Motion to approve new Board Policy JHCDE - Administration of Medical Cannabis to Qualifying Students. This motion, made by Ben Frerichs and seconded by Chris Misselt, Carried.

Motion to approve new Board Policy Exhibit JHCDE-E - Medical Cannabis Administration Plan. This motion, made by Amy McGovern and seconded by Chris Misselt, Carried.

Reports:

Mr. Case shared that a special study session with the Board will be scheduled at the end of January or early February. The Executive Leadership Team is working on an agenda to share topics affected by future growth and change.

He introduced the new Buildings & Grounds Coordinator, Jace Waltman. Jace is replacing Ron Mincks who retired at the end of the year.

Committee Reports from Board Members and Comments from Associate Board Members.

Board members did not have any committee reports.

Vaira stated the new MFLAC will be here next week. A group of airmen deployed this past week. So be aware of any student impact in the coming weeks.

Upcoming Calendar Events:

- January 12 - Elementary Design Meeting
- January 17 - Martin Luther King Holiday - No School
- January 24 - BOE Meeting

Motion to move into executive session at 5:54 p.m. to discuss personnel matter per SDCL 1-25-2.1. This motion, made by Chris Misselt and seconded by Tanya Gray, Carried. Yea:

President Melendez called the Board out of executive session at 6:08 p.m.

Motion to adjourn the meeting at 6:08 p.m. This motion, made by Chris Misselt and seconded by Tanya Gray, Carried.

Cathleen Melendez, President

Trista Olney, Business Manager

_____ Initials

_____ Date

Published once at the total approximate cost of _____.

**DOUGLAS SCHOOL DISTRICT
PERSONNEL ACTION 1/10/2022**

Certified Professional Growth Plans

Name	Building	Position
Megan Samuelson	VES	5th Grade

Classified Voluntary Transfer Request

Name	From Bldg/Position	To Bldg/Position	Effective Date
Traci Knight	FS/Food Service Worker	FS/Food Service Secretary	12/22/2021

Certified Staff Hiring

Name	Position	Location	Effective Date
William Velez	Special Education Teacher	DMS	01/06/2022

Classified Staff Hiring

Name	Position	Location	Effective Date
Jace Waltman	Building and Grounds Coordinator	B&G Department	01/06/2022

Substitute Hires

Name	Substitute Teacher	Substitute Classified	Effective Date
Pam Crowther	\$105.00/day	95% of Step 1	10/15/2021
Jeslyn Jindra	\$105.00/day	95% of Step 1	12/17/2021
Julie Nelson	\$127.50/day	95% of Step 1	12/14/2021
Michael Santoli	\$127.50/day	95% of Step 1	12/17/2021
Chance Sorensen	\$105.00/day	95% of Step 1	12/20/2021
Robert Steffy	\$105.00/day	95% of Step 1	12/14/2021

** Personnel Action additions and updates made after intial publication and before scheduled school board meeting.

November 1, 2021 FINANCIAL	GENERAL FUND	CAPITAL OUTLAY	SPECIAL EDUCATION
BALANCE 10/ 31/ 21	\$935,136.72	\$2,047,332.07	\$1,764,084.13
RECEIPTS:			
TAXES	\$1,145,355.03	\$738,894.73	\$477,079.56
TUITION			
INTEREST	\$8.91		
ADMISSIONS	\$806.00		
LOCAL	\$1,480.22	\$131.76	
COUNTY	\$16,678.78		
STATE	\$978,005.00		\$124,456.00
FEDERAL	\$553.17	0.00	\$284,781.00
OTHER	\$677.10		
INTERFUND TRAN.	\$37.19		
LOANS			
TOTAL RECEIPTS:	\$2,143,601.40	\$739,026.49	\$886,316.56
DISBURSEMENTS:			
VERIFIED CLAIMS	\$191,002.97	\$428,868.40	\$5,407.81
SALARIES	\$1,558,818.46	\$0.00	\$293,859.69
TRANSFERS OUT			
BALANCE 11/30/21	\$1,328,916.69	\$2,357,490.16	\$2,351,133.19
BALANCE 11/ 30/ 20	1,905,715.96	2,830,648.30	2,252,439.17

November 1, 2021 FINANCIAL	FEDERAL PROJECTS	UNEMPLOY- MENT FUND
BALANCE 10/ 31/ 21	(\$881,077.76)	\$50,891.56
RECEIPTS:		
TAXES		
INTEREST		
LOCAL		
STATE		
FEDERAL		
PREMIUMS		
REIMBURSEMENTS	\$18,596.53	
OTHER (LOCAL) -AFROTC		
INTERFUND TRAN.		
OTHER (LOCAL) -LIBRARY		
TRANSFER IN		
TOTAL RECEIPTS:	\$18,596.53	\$0.00
DISBURSEMENTS:		
VERIFIED CLAIMS	\$20,164.67	\$0.00
SALARIES	\$85,637.97	\$0.00
TRANSFERS OUT		
EXPENDITURES		
BALANCE 11/30/21	(\$968,283.87)	\$50,891.56
BALANCE 11/ 30/ 20	(828,381.83)	55,277.81

November 1, 2021 FINANCIAL	DEP CARE	ENTERPRISE	IMPACT AID
BALANCE 10/ 31/ 21	\$546.72	\$4,714.21	\$22,753,419.54
RECEIPTS:			
INTEREST			\$37.19
TUITION			
STATE			
FEDERAL			
LOCAL	\$291.68		
OTHER			
INTERFUND TRAN.			
LOANS			
PREMIUMS			
TOTAL RECEIPTS:	\$291.68	\$0.00	\$37.19
DISBURSEMENTS:			
VERIFIED CLAIMS	\$310.00	\$0.00	\$0.00
SALARIES	\$0.00	\$0.00	\$0.00
EXPENDITURES/ TRANSFERS OUT			\$37.19
BALANCE 11/30/21	\$528.40	\$4,714.21	\$22,753,419.54
BALANCE 11/ 30/ 20	374.93	(18,839.29)	20,588,970.65

November 1, 2021 FINANCIAL	FOOD SERVICE	FIDUCIARY FUNDS	MEDICAL REIMB-125
BALANCE 10/ 31/ 21	\$155,576.92	\$188,829.48	(\$1,592.56)
RECEIPTS:			
INTEREST			
SALES	\$10,787.97		
STATE			
FEDERAL	\$141,159.50		
LOCAL	\$220.97	\$30,386.96	\$1,986.24
OTHER			
INTERFUND TRAN.			
LOANS			
TOTAL RECEIPTS:	\$152,168.44	\$30,386.96	\$1,986.24
DISBURSEMENTS:			
VERIFIED CLAIMS	\$115,809.39	\$16,429.20	\$2,402.74
SALARIES	\$20,214.85	\$0.00	\$0.00
BALANCE 11/30/21	\$171,721.12	\$202,787.24	(\$2,009.06)
BALANCE 11/ 30/ 20	179,752.60	180,748.93	2,169.92

Board Report - For School Board 01/14/2022

<u>Vendor Name</u>	<u>Check #</u>	<u>Expensed</u>	<u>Amount</u>
ACCO BRANDS CORPORATION	180032		411.89
ACT	180033		432.00
AMAZON.COM	180034		1,609.36
ARROWWOOD RESORT & CONFERENCE	180036		94.65
AVI SYSTEMS INC	180037		1,546.86
BATTERIES PLUS BULBS #934	180038		415.40
BIERSCHBACH EQUIPMENT & SUPPLY	180039		480.00
BLACK HILLS CHEMICAL CO	180040		474.30
BLACK HILLS ENERGY	180041		33,537.54
BORDER STATES ELECTRIC INC	180043		238.74
BROWN'S SMALL ENGINE REPAIR	180045		137.97
CAROLINA BIOLOGICAL SUPPLY COMPANY	180047		21.11
CASE. KEVIN	180048		308.21
CENTURYLINK	180050		359.80
CHEYENNE EAST HS	180051		595.00
CITY OF BOX ELDER/PUBLIC WORKS DEPT	180052		4,863.18
CLIMATE CONTROL SYSTEMS AND SERVICE	180053		1,627.56
D & F TRUCK & AUTO ELECTRIC. INC.	180056		1,336.60
DAKOTA BUS SERVICE. INC.	180057		2,660.00
DENNIS SUPPLY-RC	180058		634.74
DENNY MENHOLT CHEVROLET	180059		223.13
FIDUCIARY ACCOUNT	180060		23,567.53
FLOSPORTS INC	180061		96.38
GRAINGER. W.W.. INC.	180063		270.56
GRIMMS PUMP SERVICE. INC.	180064		45.18
HAGGERTYS MUSICWORKS	180066		304.78
HIGH POINT NETWORKS. LLC	180067		43.75
HILLYARD INC	180068		16,303.42
HOT SPRINGS SCHOOL DISTRICT	180069		100.00
INNOVATIVE OFFICE SOLUTIONS	180070		637.62
INTEGRATED TECHNOLOGY & SECURITY	180071		10,255.79
JOHNSON CONTROLS INC	180072		531.62
JOSTENS INC	180073		101.15
JW PEPPER & SONS. INC.	180074		516.95
KETEL. THORSTENSON. LLP	180075		2,500.00

Board Report - For School Board 01/14/2022

<u>Vendor Name</u>	<u>Check #</u>	<u>Expensed</u>	<u>Amount</u>
KIEFFER SANITATION. INC.	180076		1,759.01
LIBRARY STORE INC	180077		330.62
LIGHTING MAINTENANCE CO.. INC.	180078		294.30
MCPHERSON. JACKIE	180080		90.80
MENARDS	180081		174.91
MG OIL COMPANY. INC.	180082		579.90
MIDCONTINENT COMMUNICATIONS	180083		1,527.53
MONTANA DAKOTA UTILITIES COMPANY. INC.	180084		13,971.64
NEWELL SCHOOL DISTRICT	180086		25.00
NORTH CENTRAL BUS & EQUIPMENT CO. INC	180087		194.54
RAPID CITY JOURNAL	180089		588.90
RIVERSIDE TECHNOLOGIES INC	180091		4,000.00
SAM'S CLUB	43		32.00
SASD	180092		80.00
SCHOOL NURSE SUPPLY	180094		255.16
SCHOOL SPECIALTY INC.	180095		2,065.36
SOUTH DAKOTA LIBRARY ASSOCIATION	180096		100.00
SOUTH DAKOTA ONE CALL	180097		57.75
SUMMIT SIGNS SUPPLY. INC.	180098		155.00
SUPER 8	180099		659.38
TEACHER DIRECT	180100		94.52
TEMPERATURE TECHNOLOGY INC	180101		5,216.42
TIE	180102		5,162.50
TRANSOURCE	180103		1,850.00
TRUE VALUE	180104		613.56
V.I. REED & CANE INC	180105		194.65
VANWAY TROPHY & AWARD. INC.	180106		150.15
VERIZON WIRELESS	180107		835.87
WEST RIVER ELECTRIC	180108		1,194.13
GENERAL FUND			<hr/> 149,536.37
ABDO PUBLISHERS	180031		1,410.80
BLACK HILLS ROOFING. INC.	180042		12,084.00
CAPSTONE PRESS	180046		974.94
CENTURY BUSINESS	180049		9,270.36
CO-OP ARCHITECTURE	180054		432,000.00

Board Report - For School Board 01/14/2022

<u>Vendor Name</u>	<u>Check #</u>	<u>Expensed</u>	<u>Amount</u>
FOLLETT SCHOOL SOLUTIONS. INC	180062		629.95
GROTH MUSIC CO	180065		1,411.02
MCGRAW HILL SCHOOL EDUCATION	180079		5,527.35
OVERDRIVE	180088		1,000.00
RENNER ASSOCIATES. LLC	180090		119.00
CAPITAL OUTLAY			464,427.42
AMAZON.COM	180034		69.99
AMERICINN-PIERRE	180035		77.00
BROWN. KATHLEEN	180044		1,267.80
CPI	180055		1,119.72
NCS PEARSON. INC.	180085		756.35
SCHOLASTIC INC.	180093		98.18
SPECIAL ED			3,389.04
FIDUCIARY ACCOUNT	180060		1,000.00
MCGRAW HILL SCHOOL EDUCATION	180079		42,594.34
RIVERSIDE TECHNOLOGIES INC	180091		4,000.00
YMCA	180109		9,250.00
GRANTS			56,844.34
			674,197.17
AMAZON.COM	11632		93.54
BLAIR. MORGAN	11633		91.10
CASH-WA DISTRIBUTING COMPANY. INC.	11634		645.84
CASH-WA DISTRIBUTING COMPANY. INC.	11635		12,046.15
COCA-COLA BOTTLING CO HIGH COUNTRY	11636		161.00
DOMINOS PIZZA- BOX ELDER	11637		546.00
FIDUCIARY ACCOUNT	11638		2,405.00
GENERAL FUND	11639		26,357.51
PAN-O-GOLD BAKING COMPANY. INC.	11640		99.46
PRAIRIE FARMS	11641		4,646.92
PROGUARD SERVICE & SOLUTIONS	11642		1,725.28
REINHART FOOD SERVICE LLC	11643		19,662.62
SERVALL TOWEL & LINEN SUPPLY. INC.	11644		72.26
FOOD SERVICE			68,552.68
			68,552.68
Grand Total:			742,749.85

PAYROLL EXPENDITURES

DECEMBER 7 2021

DECEMBER 21 2021

TOTALS

\$998,224.33

\$1,022,164.77

**DOUGLAS SCHOOL DISTRICT
PERSONNEL ACTION 1/24/2022**

Certified Professional Growth Plans

Name	Building	Position
William Velez	MS	Special Education Teacher

Classified Service Factor Bonus

Name	Position/Years	Amount	Dates of Service
Robyn Heintz	Food Service Worker/30 Years	\$1,606.13	02/25/1992-02/25/2022
Peter Lawler	Custodian/35 Years	\$4,460.04	02/23/1987-02/23/2022
Laurie Prpich	Special Ed Secretary/20 Years	\$1,343.41	02/19/2002-02/19/2022

Classified Anniversary Increases

Name	Position/Step	Hourly Wage	Effective Date
Leandra Arthur	Bookkeeper 1/7	\$21.95	6/14/2022
Livvy Bright	Special Education Aide/2	\$14.40	2/1/2022
Shawn Connor	Custodian/3	\$15.70	3/27/2022
Andrew Galvan	Custodian/2	\$15.05	6/29/2022
Denea Hinzman	Food Service Worker/3	\$13.90	02/25/2022
Traci Knight	Food Service Secretary/4	\$15.75	02/29/2022
Kara Kveene	Registered Nurse/2	\$29.35	03/22/2022
Brandon Porubensky	Custodian/3	\$15.70	03/04/2022
Laura Savage	Bus Driver/3	\$17.82	03/28/2022
AnnDee Schmidt	Principals Secretary/7	\$19.30	04/17/2022
Timothy Smith	Custodian/5	\$17.25	05/24/2022
Shizuka Tinkham	Food Service Worker/2	\$13.30	03/08/2022
Megumi Woroniecki	Food Service Worker/2	\$13.30	03/10/2022

Classified Resignations/Retirements/Terminations

Name	Position	Location	Effective Date
Lacy Puhlman	Computer Aide	Patriot Elementary (BC/FC)	1/21/2022

Classified Voluntary Transfer Request

Name	From Bldg/Position/Hrs	To Bldg/Position/Hrs	Effective Date
Cassie Taylor	MS/Food Service Worker 4.25 hrs/day	MS/Food Service Worker 7.50 hrs/day	01/10/2022

Temporary Hires

Name	Position	Salary	Effective Date
Jace Caldwell	MS 6th Grade Intramural Basketball Coach - 1 Year Only	\$995.00 per yr	1/12/2022

Substitute Hires

Name	Substitute Teacher	Substitute Classified	Effective Date
Marleah McClain	\$105.00/day	95% of Step 1	1/7/2022

** Personnel Action additions and updates made after intial publication and before scheduled school board meeting.

December 1, 2021 FINANCIAL	GENERAL FUND	CAPITAL OUTLAY	SPECIAL EDUCATION
BALANCE 11/ 30/ 21	\$1,328,916.69	\$2,357,490.16	\$2,351,133.19
RECEIPTS:			
TAXES	\$109,556.10	\$68,019.48	\$43,056.30
TUITION			
INTEREST	\$9.19		
ADMISSIONS	\$1,888.00		
LOCAL	\$128.24	\$74.19	
COUNTY	\$5,433.72		
STATE	\$978,005.00		\$124,456.00
FEDERAL			
OTHER	\$380.00		
INTERFUND TRAN.	\$38.44		
LOANS			
TOTAL RECEIPTS:	\$1,095,438.69	\$68,093.67	\$167,512.30
DISBURSEMENTS:			
VERIFIED CLAIMS	\$83,207.10	\$411,233.67	\$867.29
SALARIES	\$1,539,037.95	\$0.00	\$307,083.56
TRANSFERS OUT			
BALANCE 12/31/21	\$802,110.33	\$2,014,350.16	\$2,210,694.64
BALANCE 12/ 31/ 20	1,520,920.82	2,776,922.53	2,167,585.98

December 1, 2021 FINANCIAL	FEDERAL PROJECTS	UNEMPLOY- MENT FUND
BALANCE 11/ 30/ 21	(\$968,283.87)	\$50,891.56
RECEIPTS:		
TAXES		
INTEREST		
LOCAL		
STATE		
FEDERAL		
PREMIUMS		
REIMBURSEMENTS		
OTHER (LOCAL) -AFROTC		
INTERFUND TRAN.		
OTHER (LOCAL) -LIBRARY		
TRANSFER IN		
TOTAL RECEIPTS:	\$0.00	\$0.00
DISBURSEMENTS:		
VERIFIED CLAIMS	\$63,678.88	\$0.00
SALARIES	\$90,267.05	\$0.00
TRANSFERS OUT		
EXPENDITURES		
BALANCE 12/31/21	(\$1,122,229.80)	\$50,891.56
BALANCE 12/ 31/ 20	(935,664.29)	57,302.20

December 1, 2021 FINANCIAL	DEP CARE	ENTERPRISE	IMPACT AID
BALANCE 11/ 30/ 21	\$528.40	\$4,714.21	\$22,753,419.54
RECEIPTS:			
INTEREST			\$38.44
TUITION			
STATE			
FEDERAL			
LOCAL	\$291.68		
OTHER			
INTERFUND TRAN.			
LOANS			
PREMIUMS			
TOTAL RECEIPTS:	\$291.68	\$0.00	\$38.44
DISBURSEMENTS:			
VERIFIED CLAIMS	\$310.00	\$0.00	\$0.00
SALARIES	\$0.00	\$0.00	\$0.00
EXPENDITURES/ TRANSFERS OUT			\$38.44
BALANCE 12/31/21	\$510.08	\$4,714.21	\$22,753,419.54
BALANCE 12/ 31/ 20	374.93	(23,997.55)	20,588,973.65

December 1, 2021 FINANCIAL	FOOD SERVICE	FIDUCIARY FUNDS	MEDICAL REIMB-125
BALANCE 11/ 30/ 21	\$171,721.12	\$202,787.24	(\$2,009.06)
RECEIPTS:			
INTEREST			
SALES	\$9,217.35		
STATE			
FEDERAL	\$148,192.40		
LOCAL	\$812.60	\$35,621.38	\$1,986.24
OTHER			
INTERFUND TRAN.			
LOANS			
TOTAL RECEIPTS:	\$158,222.35	\$35,621.38	\$1,986.24
DISBURSEMENTS:			
VERIFIED CLAIMS	\$79,712.40	\$52,837.72	\$1,166.78
SALARIES	\$23,395.11	\$65.68	\$0.00
BALANCE 12/31/21	\$226,835.96	\$185,505.22	(\$1,189.60)
BALANCE 12/ 31/ 20	193,861.42	180,091.83	2,942.70

Board Report - For School Board 01/28/2022

<u>Vendor Name</u>	<u>Check #</u>	<u>Expensed</u>	<u>Amount</u>
ADMINPARTNERS	180125		100.00
AMAZON.COM	180126		650.96
AMERICAN AIRLINES	180110		298.40
AMICK SOUND INC	180127		172.71
BATTERIES PLUS BULBS #934	180128		245.10
BELLE FOURCHE HIGH SCHOOL	180129		175.00
BLACK HILLS ENERGY	180130		34,709.32
BORDER STATES ELECTRIC INC	180131		1,358.54
BRIGHTFINGERS INC	180110		68.95
CASH - CO	180133		984.00
CENTURYLINK	180134		89.95
CHAMBERLAIN HIGH SCHOOL	180135		125.00
CHRIS SUPPLY. INC.	180136		489.76
CLARK PRINTING. INC.	180137		588.90
CRICUT	180110		100.81
DAKOTA BUS SERVICE. INC.	180138		5,372.00
DAKOTA EQUIPMENT RENTAL	180139		122.28
DAUGHERTY. DALE	180140		962.00
DEMCO. INC	180141		171.24
DEPARTMENT OF REVENUE	180142		15.00
E-RATE EDUCATIONAL SERVICES LLC	180143		2,000.00
EVERGREEN OFFICE PRODUCTS	180144		389.40
FIDUCIARY ACCOUNT	180145		129.75
FOOD SERVICE	180146		37.26
FRERICHS. BENJAMIN	180147		160.90
GRAINGER. W.W.. INC.	180148		317.78
GRAY. TANYA	180149		186.10
HARVEYS LOCK SHOP. INC.	180150		48.00
HATFIELD. NAOMI	180151		216.00
HAUFF MID-AMERICA SPORTS INC.	180152		1,479.90
HOT SPRINGS HOTEL AND SPA	180153		886.00
INNOVATIVE OFFICE SOLUTIONS	180154		599.82
INTERSTATE BATTERIES	180155		140.75
K-LOG. INC.	180158		526.57
KETEL. THORSTENSON. LLP	180157		816.80

Board Report - For School Board 01/28/2022

<u>Vendor Name</u>	<u>Check #</u>	<u>Expensed</u>	<u>Amount</u>
KNIGHTS QUALITY WELDING	180159		810.00
LOVE AND LOGIC INSTITUTE. INC.	180110		175.00
LYNN JACKSON SHULTZ & LEBRUN PC INC	180160		1,808.00
MCGOVERN. AMY	180161		176.86
MELENDEZ. CATHLEEN	180162		212.74
MENARDS	180163		651.03
MIDCONTINENT COMMUNICATIONS	180164		1,454.75
MOUNT VERNON HIGH SCHOOL DEBATE	180165		900.00
MUSIC THEATRE INTERNATIONAL	180166		780.00
NAFIS	180110		1,400.00
NORTHWEST PIPE FITTINGS. INC.	180167		249.06
PERMABOUND BOOKS	180168		346.05
PIERRE SCHOOL DISTRICT	180169		50.00
PRAIRIE EDGE INC	180170		324.28
RAPID CITY WINDOW & GLASS. INC.	180171		920.78
RIVERSIDE TECHNOLOGIES INC	180172		3,252.00
SCHOOL SPECIALTY INC.	180173		817.87
SDTEA	180175		300.00
SOUTH DAKOTA ONE CALL	180176		76.65
SPECIALTY INSTALLATION LLC	180177		2,037.00
TERRA SANCTA RETREAT CENTER	180178		937.00
TRANSOURCE	180179		1,850.00
TRUE VALUE	180180		440.40
WAL-MART STORES INC	180110		99.67
WESTERN MICROSCOPE LLC	180182		700.00
WRESTLING CLUB	180183		1,105.00
GENERAL FUND			<hr/> 76,609.09
CAPSTONE PRESS	180132		41.48
HAUFF MID-AMERICA SPORTS INC.	180152		2,530.10
INNOVATIVE OFFICE SOLUTIONS	180154		15,853.99
JOHNSON CONTROLS INC	180156		5,957.08
WEST MUSIC CO	180181		129.99
CAPITAL OUTLAY			<hr/> 24,512.64
MENARDS	180163		678.74
WAL-MART STORES INC	180110		35.00
SPECIAL ED			<hr/> 713.74

Board Report - For School Board 01/28/2022

<u>Vendor Name</u>	<u>Check #</u>	<u>Expensed</u>	<u>Amount</u>
CASH - CO	180133		360.00
TAXI CHARGES	180110		2,236.05
UNITED AIR LINES	180110		5,661.60
GRANTS			<hr/> 8,257.65
			<hr/> 110,093.12
CASH-WA DISTRIBUTING COMPANY, INC.	11652		3,764.21
CASH-WA DISTRIBUTING COMPANY, INC.	11653		1,150.96
COCA-COLA BOTTLING CO HIGH COUNTRY	11654		379.50
DAKOTA WAREHOUSE	11655		24.00
DIGI INTERNATIONAL INC	11656		400.00
DOMINOS PIZZA- BOX ELDER	11657		728.00
PAN-O-GOLD BAKING COMPANY, INC.	11658		1,083.56
PRAIRIE FARMS	11659		4,496.07
REINHART FOOD SERVICE LLC	11660		5,885.48
SERVALL TOWEL & LINEN SUPPLY, INC.	11661		156.53
FOOD SERVICE			<hr/> 18,068.31
			<hr/> 18,068.31
Grand Total:			<hr/> 128,161.43



Softball Intent to Participate

Complete this form and return to jo.auch@sdhsaa.com no later than February 15, 2022.

Name of School _____

_____ We plan to participate as a **“school sponsored” softball team** in the spring of 2022-23 school year.

_____ We plan to participate as a **school board approved “transition team”** in the spring of 2022-23 school year.

_____ Our school **will not** be participating at this time.

School Board President Signature

Superintendent Signature

Scan and email back to: jo.auch@sdhsaa.com no later than February 15, 2022.

DOUGLAS SCHOOL DISTRICT

2022 - 2023 SCHOOL CALENDAR



**HOME OF
THE PATRIOTS**

AUGUST						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Days: Student (8) Teacher (13)
 Aug. 10 - 12 New Teacher Orientation
 Aug. 15 - 19 District PD Days
 Aug. 22 First Day of School

JANUARY						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Days: Student (16) Teacher (18)
 Jan. 2 - 4 Winter Break
 Jan. 5 - 6 District PD Day
 Jan. 16 MLK Jr. Day

SEPTEMBER						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

Days: Student (21) Teacher (21)
 Sept. 5 Labor Day

FEBRUARY						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

Days: Student (19) Teacher (19)
 Feb. 14 & 16 Conferences 3:30 - 7:00
 Feb. 17 Conference Comp. Day
 Feb. 20 President's Day

OCTOBER						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Days: Student (19) Teacher (20)
 Oct. 4 & 6 Conferences 3:30 - 7:00
 Oct. 7 Conference Comp. Day
 Oct. 10 Native American Day
 Oct. 20 End of 1st Quarter
 Oct. 21 District PD Day

MARCH						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Days: Student (22) Teacher (23)
 Mar. 9 End of 3rd Quarter
 Mar. 10 District PD Day

NOVEMBER						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

Days: Student (16) Teacher (18)
 Nov. 11 Veteran's Day
 Nov. 21 & 22 District PD Day
 Nov. 23 - 25 Thanksgiving Break

APRIL						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

Days: Student (15) Teacher (15)
 Apr. 10 - 14 Spring Break

DECEMBER						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Days: Student (16) Teacher (16)
 Dec. 22 End of 2nd Quarter
 Dec. 23 - 30 Winter Break

MAY						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Days: Student (18) Teacher (19)
 May 21 [Senior Graduation](#)
 May 24 Last Day for Students
 (2 hr. Early Release Students)
 End of 4th Quarter
 May 25 District PD Day

	No School - Holiday	170 student days (includes conference days)	Quarter Dates	
	No School - Conference Comp.	12 certified staff district days	End of 1st Qtr.	Oct. 20
	No School Students - District PD Day	182 Total Certified Staff Days	End of 2nd Qtr.	Dec. 22
	Early Release Students: 2 hrs		End of 3rd Qtr.	Mar. 9
	First/Last Day of School		End of 4th Qtr.	May 24
	Conferences- Evenings 3:30 - 7:00			
	End of Quarter			

DOUGLAS SCHOOL DISTRICT

2023- 2024 SCHOOL CALENDAR



**HOME OF
THE PATRIOTS**

AUGUST						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

Days: Student (9) Teacher (14)
 Aug. 9 - 11 New Teacher Orientation
 Aug. 14 - 18 District PD Days
 Aug. 21 First Day of School

JANUARY						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Days: Student (17) Teacher (19)
 Jan. 1 - 3 Winter Break
 Jan. 4 - 5 District PD Day
 Jan. 15 MLK Jr. Day

SEPTEMBER						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

Days: Student (20) Teacher (20)
 Sept. 4 Labor Day

FEBRUARY						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

Days: Student (20) Teacher (20)
 Feb. 13 & 15 Conferences 3:30 - 7:00
 Feb. 16 Conference Comp. Day
 Feb. 19 President's Day

OCTOBER						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Days: Student (20) Teacher (21)
 Oct. 3 & 5 Conferences 3:30 - 7:00
 Oct. 6 Conference Comp. Day
 Oct. 9 Native American Day
 Oct. 19 End of 1st Quarter
 Oct. 20 District PD Day

MARCH						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Days: Student (20) Teacher (21)
 Mar. 14 End of 3rd Quarter
 Mar. 15 District PD Day

NOVEMBER						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

Days: Student (16) Teacher (18)
 Nov. 10 Veteran's Day
 Nov. 20 - 21 District PD Day
 Nov. 22 - 24 Thanksgiving Break

APRIL						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

Days: Student (17) Teacher (17)
 Apr. 1 - 5 Spring Break

DECEMBER						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Days: Student (15) Teacher (15)
 Dec. 21 End of 2nd Quarter
 Dec. 22 - 29 Winter Break

MAY						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Days: Student (16) Teacher (17)
 May 19 Senior Graduation
 May 22 Last Day for Students
 (2 hr. Early Release Students)
 End of 4th Quarter
 May 23 District PD Day

	No School - Holiday	170 student days (includes conference days)	Quarter Dates	
	No School - Conference Comp.	12 certified staff district days	End of 1st Qtr.	Oct. 19
	No School Students - District PD Day	182 Total Certified Staff Days	End of 2nd Qtr.	Dec. 21
	Early Release Students: 2 hrs		End of 3rd Qtr.	Mar. 14
	First/Last Day of School		End of 4th Qtr.	May 22
	Conferences- Evenings 3:30 - 7:00			
	End of Quarter			



FAST FACTS

DSD GROWING TOGETHER

The Why

In June of 2021, the Department of Defense announced that Ellsworth Air Force Base and the City of Box Elder would be the home of the B-21 Raider. That announcement immediately elevated an area that was already poised for growth. Based on Department of Defense data, it is estimated that DSD enrollment will nearly double from 2,950 to **5,880** over the next 5-7 years. This growth will necessitate an overall investment in approximately **\$300 million in new district facilities**.

What Is Needed

In an effort to prepare for the influx of students, DSD has contracted with the DLR Group to create a master facilities plan. To be prepared, DSD will need to build three new elementary schools and one high school.

Elementary



Middle



High School

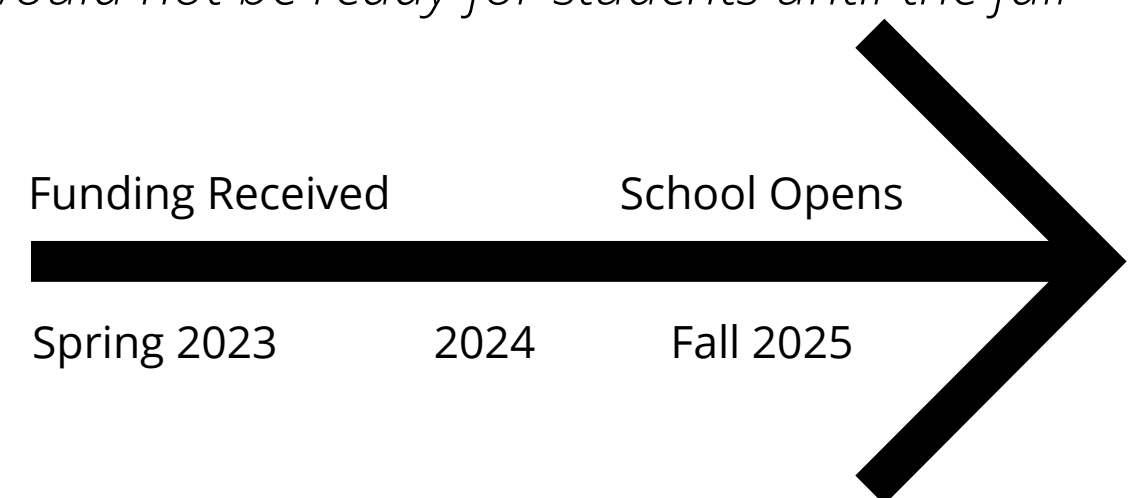


- To meet the **immediate need**, DSD will need an estimated \$181 million, which will fund one of three new pre-k-5 elementary schools (510 capacity) and a new high school (1,400 capacity).
- DSD has already purchased land for the new high school. The building plans are complete and ready to be bid in March 2022.
- The land for Elementary Building #1 is under contract and the design process has begun. It will be ready to be bid by June 2022.

Timelines, Challenges

- District facilities are currently at 95 percent capacity. Douglas Middle School currently exceeds capacity, creating a sense of urgency to build a high school and transition the existing high school into a second middle school.
- Given that it typically takes 24 to 36 months to construct a school building, securing funding sooner than later is critical. If DSD is not able to begin construction soon, it will be challenging to provide high quality learning environments for our existing students, as well as our families associated with the B-21 program.

For example, if DSD receives funding in the spring of 2023, the building would not be ready for students until the fall 2025.



- DSD does not generate enough money in its capital outlay fund to pay for large-scale building projects. As such, DSD must retain what funding is available to address aging facility needs and other capital expenses.

Funding

Ultimately, there are simply not enough local resources to fund what is needed to support the anticipated growth. DSD may have the ability to contribute approximately \$10 to \$15 million from its impact aid reserve dollars. Additionally, the District can ask the community to support facilities expenses through a bond, which requires a supermajority to pass. Regional bond experts estimate that the most DSD could realistically bring in through a bond is approximately \$30 million. DSD leaders have done exhaustive research in an effort to find various funding sources. A list of possible funding streams are below. Please note, there are few, if any, funding sources that would cover a meaningful portion of the anticipated facilities expenses.

Funding Sources

Federal

Office of Local Defense Community Cooperation (OLDCC)

- Planning grant dollars used to support entities in planning costs only (demographic study, architect fee, mobile units in transition, searching for funding sources, etc. (cannot be used for construction costs, only construction planning))

New Market Tax Credits

- Could potentially cover up to 10 percent of funding costs on a smaller construction project (research ongoing)
 - Would require some district funding
-

Impact Aid Discretionary

- \$17 million available to qualifying districts - usually given out to districts with buildings with high maintenance needs
 - A total of \$17 million is available to qualifying districts with a maximum award of \$4 million (only available every other year)
-

Defense Community Program

- Assists with facilities "outside the fence"
- The amount available can fluctuate - last year, \$50 million was available to qualifying agencies - the grants ranged from \$500,000 to \$10 million.

State

State Allocation

- DSD could potentially request a state allocation to assist with funding given the base's impact on the state and local economy
 - There is precedent for a state allocation. The construction of Douglas Middle School was funded through local, state and federal funds.
-

Local

Bond Election

- The DSD Board of Education could ask local taxpayers to support school facilities with a property tax increase (a 60 percent majority is required)
 - If passed, realistically, DSD could bring in \$30 million
-

Capital Outlay

- The Board has the ability to issue capital outlay certificates (max amount of \$10 million); however, that would greatly reduce the district's ability to fund other necessities like ongoing maintenance costs for the District's existing buildings, technology and transportation needs.
-

Impact Aid

- Each year, the District commits approximately half of its impact aid dollars to fund salaries and benefits
 - DSD could use impact aid reserves for a one time project expense (somewhere between \$10 and \$15 million available)
-

In Summary

The district has and will continue to focus on being prepared for this exponential student growth within the parameters it can control; however, without support at both the state and federal level, DSD is on a trajectory to be grossly underprepared for this influx of students. DSD leaders believe the vast majority of funding will need to come from the federal level.

REVISED

**DOUGLAS SCHOOL DISTRICT
Board Policy**

Box Elder

South Dakota

SECTION	A	TITLE	Foundations & Basic Commitment	FILE	ACAA
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Sexual Harrassment

I. Policy Statement

The District does not discriminate on the basis of sex in any education program or activity that it operates, including admission and employment. The District is required by Title IX of the Education Amendments of 1972 and the regulations promulgated through the U.S. Department of Education not to discriminate in such a manner. Inquiries about the application of Title IX to the District may be referred to the District’s Title IX Coordinator, to the Assistant Secretary for Civil Rights of the Department of Education, or both.

The District is committed to a school environment which is free from sexual harassment and conducive to all students’ educational opportunities. Sexual harassment can inhibit a student’s educational opportunities and an employee’s work. Sexual harassment of students attending school in the District or students from other schools who are at a District activity, and sexual harassment of school employees, school volunteers, parents, guests, visitors and vendors of the District shall also not be tolerated and is strictly prohibited.

All students, school employees, school volunteers, parents, guests, visitors and vendors shall conduct themselves in a civil and responsible manner and in a manner consistent with school policies. This policy prohibiting sexual harassment shall apply to all students, school employees, school volunteers, parents, guests, visitors and vendors while on school property, while attending or participating in school activities, on school-owned property or on non-school property, while in any school-owned or leased vehicle, while at a school bus stop, or when in a private vehicle located on school property during school or during school activities.

Federal law defines “sexual harassment” as conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual’s participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient’s education program or activity; or
3. “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30).

Any person may report sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.

Any student who believes that he or she has been or is being subjected to sexual harassment or has reason to suspect another person has been or is being subjected to sexual harassment may also report it to a teacher, guidance counselor, or school administrator. The report may be made verbally or in writing.

The District's response shall treat complainants and respondents equitably by offering supportive measures to a complainant, and by following a grievance process that complies with Title IX requirements before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent.

II. Designation of Title IX Coordinator

The Board has designated the following District employee to coordinate its efforts to comply with its responsibilities as set forth in 34 CFR Part 106, who shall be referred to as the "Title IX Coordinator."

Name or Title: **Executive Director of Operational Support Services**

Office Address: **400 Patriot Drive, Box Elder, SD 57719**

Telephone Number: **605-923-0000**

The District shall notify applicants for employment, students, parents or legal guardians of elementary and secondary school students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the District, of the name or title, office address, electronic mail address, and telephone number of the employee or employees designated as the Title IX Coordinator.

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

III. Dissemination of Policy

The District shall notify persons entitled to the notification under Section I. above that the District does not discriminate on the basis of sex in the education program or activity that it operates, and that it is required by Title IX and this policy not to discriminate in such a manner. Such notification must state that the requirement not to discriminate in the education program or activity extends to admission and employment, and that inquiries about the application of Title IX to the District may be referred to the District's Title IX Coordinator, to the U.S. Assistant Secretary of Education, or both.

The District shall prominently display the contact information required to be listed for the Title IX Coordinator on its website, and in each handbook or catalog that it makes available to persons entitled to a notification pursuant to Section I. above.

IV. Adoption of Grievance Procedures

The District has adopted and published grievance procedures (**ACAA-R**), **Sexual Harassment – Administrative Regulation**) that provide for the prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited by Title IX and this policy. The District shall provide to persons entitled to a notification under Section I. above notice of the District's grievance procedures and grievance process, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the District will respond.

V. Definitions (34 CFR § 106.30(a), except when otherwise indicated)

a. "Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to the District's Title IX Coordinator or any official of the District who has authority to institute corrective measures on behalf of the District, or to any employee of an elementary and secondary school. Imputation of knowledge based solely on vicarious liability (when a person has a particular legal relationship to the person who acted negligently) or constructive notice (deeming notice of something to a person having been given, even though actual notice did not exist) is insufficient to constitute actual knowledge. This standard is not met when the only official of the recipient with actual knowledge is the respondent. The mere ability or obligation to report sexual harassment or to inform a student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the District.

b. "Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

c. "Dating violence" means violence committed by a person:

1. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
2. where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - i. the length of the relationship.
 - ii. the type of relationship.
 - iii. the frequency of interaction between the persons involved in the relationship.

d. "Decision-maker" means the school administrator who has primary responsibility and authority related to students, staff and attendance center where the alleged sexual harassment occurred, unless otherwise designated by the Board, and who has the authority to make a determination on the complaint as to responsibility of the respondent.

e. "Domestic violence" includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

f. "Education program or activity" includes locations, events, or circumstances over which the District exercised substantial control over both the respondent and the context in which the sexual harassment occurs.

g. "Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the District. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information required to be listed for the Title IX Coordinator, and by any additional method designated by the District.

h. "Document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the District) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. Should the Title IX Coordinator sign the formal complaint, the Title IX Coordinator is not a complainant or otherwise a party, and the Title IX Coordinator must comply with the Title IX requirements.

i. “Notice” includes, but is not limited to, a report of sexual harassment to the Title IX Coordinator.

j. “Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

k. “Sexual assault” means any nonconsensual sexual act proscribed by Federal, Tribal, or State law, including when the victim lacks capacity to consent; or any offense classified as a forcible or non-forcible sex offense under the reporting system of the Federal Bureau of Investigation.

l. “Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

1. fear for his or her safety or the safety of others; or
2. suffer substantial emotional distress.

m. “Supportive measures” means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the District’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District’s educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, escorting the complainant while on District property or while at a District off campus activity, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

VI. District’s Response to Sexual Harassment

A. General response to sexual harassment. Regardless of whether or not a formal complaint is filed, should the District have actual knowledge of sexual harassment in a District educational program or activity against another person in the United States, the District shall respond promptly in a manner that is not deliberately indifferent (i.e., if the District’s response to sexual harassment is clearly unreasonable in light of the known circumstances).

The Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures, consider the complainant’s wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

B. Response to a formal complaint. In response to a formal complaint, the District shall follow the grievance process as set forth in [ACAA-R: Sexual Harassment – Administrative Regulation](#).

C. Time frames. The time frames set forth in the regulations shall be considered as a maximum length of time within which the related step is to be completed, however, the time frames may be extended for good cause upon written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause includes, but is not limited to, utilization of the informal resolution process, availability of an investigator if not a school employee, complexity of the investigation, absence of a party, a party’s advisor, a witness, or decision-maker (including a person necessary for addressing an appeal), concurrent law enforcement activity, or the need for language assistance or accommodation of disabilities.

D. Emergency removal. Nothing in Title IX regulations or this policy prohibits the District from removing a respondent from the District's education program or activity on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. However, nothing in Title IX regulations or this policy may be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act. Additionally, nothing in the Title IX regulations or this policy prohibits the District from placing an employee respondent on administrative leave during the pendency of a grievance process. However, nothing in Title IX regulations or this policy may be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

VII. Informal Resolution

A. The District may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with this policy.

B. The District may not require the parties to participate in an informal resolution process under this policy and may not offer an informal resolution process unless a formal complaint is filed.

C. At any time prior to reaching a determination regarding responsibility, the District may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the District:

1. provides to the parties a written notice disclosing the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
2. obtains the parties' voluntary, written consent to the informal resolution process; and
3. does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

VIII. District's Grievance Process for Formal Complaints of Sexual Harassment

A. For the purpose of addressing formal complaints of sexual harassment, the District's grievance procedure as set forth in **ACAA-R, Sexual Harassment – Administrative Regulation**, shall be followed. There must be compliance with the requirements of this section, and any provisions, rules, or practices other than those required by this section that the District adopts as part of its grievance process for handling formal complaints of sexual harassment must apply equally to both parties.

B. Upon receipt of a formal complaint, the Title IX Coordinator shall provide the following written notice to the parties who are known:

1. Notice of the District's grievance process, including any informal resolution process
2. Notice of the allegations of sexual harassment potentially constituting sexual harassment as defined in this policy, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice must include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice shall inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence. The written notice shall inform the parties of any provision in the District's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

C. The District shall treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent. Remedies may be disciplinary in nature. Such remedies may include the same individualized services identified as supportive measures. Remedies must be designed to restore or preserve equal access to the District's education program or activity.

D. The District shall follow the grievance process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent.

E. Investigation of a formal complaint. When investigating a formal complaint and throughout the grievance process, the District:

1. shall have the burden of proof and the burden of gathering evidence sufficient to reach a determination, and the parties shall not have either burden;
2. cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the District obtains that party's voluntary, written consent to do so for a grievance process under this section. If a party is not an "eligible student," (i.e., student who has reached 18 years of age), the District must obtain the voluntary, written consent of a "parent," (i.e., natural parent, guardian, or an individual acting as a parent in the absence of a parent or a guardian);
3. shall provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
4. shall not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence; provided, however, nothing in this provision prohibits the District from taking disciplinary action due to a party retaliating against any person due to that person having made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy.
5. shall provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.

F. There shall be an objective evaluation of all relevant evidence, and credibility determinations may not be based on a person's status as a complainant, respondent, or witness.

G. No individual designated by a recipient as a Title IX Coordinator, investigator, decisionmaker, or any person designated by the District to facilitate an informal resolution process, may have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

H. The Title IX Coordinator, investigators, decision-makers, and any person who facilitates an informal resolution process, shall receive training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

1. The decision-makers shall receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.

2. The investigators shall receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

3. No materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, may rely on sex stereotypes, and training materials must promote impartial investigations and adjudications of formal complaints of sexual harassment.

I. Until a determination regarding responsibility is made at the conclusion of the grievance process, the respondent is presumed to not be responsible for the alleged conduct.

J. The District's grievance procedure as set forth in [ACAA-R: Sexual Harassment – Administrative Regulation](#), shall:

1. Include reasonably prompt time frames for filing and resolving appeals and informal resolution processes if District offers informal resolution processes;

2. include a process that allows for the temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities;

3. include the range of possible disciplinary sanctions and remedies or list the possible disciplinary sanctions and remedies that the District may implement following any determination of responsibility;

4. state that for all formal complaints of sexual harassment filed against students and employees, the standard of evidence to be used to determine responsibility is the preponderance of the evidence standard.

5. include the procedures and permissible bases for the complainant and respondent to appeal;

6. describe the range of supportive measures available to complainants and respondents; and

7. not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

K. If, in the course of an investigation, the District decides to investigate allegations about the complainant or respondent that are not included in the notice provided pursuant to Section VIII, subsection B., the District shall provide notice of the additional allegations to the parties whose identities are known.

L. Any party whose participation is invited or expected, shall be given written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient

time for the party to prepare to participate.

M. All parties shall have equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the recipient does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.

N. Prior to completion of the investigative report, the District must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report.

O. The investigator shall create an investigative report that fairly summarizes relevant evidence and, at least 10 calendar days prior to a determination by a decision-maker regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

P. No adversarial hearing shall be held unless the determination of the Superintendent is appealed to the Board, or unless the Superintendent recommends the long term suspension or expulsion of a student, or the suspension without pay or termination of employment of an employee.

Q. The Superintendent may make a recommendation to the Board that a student determined to have sexually harassed another person be suspended long-term or expelled (ARSD 24:07:01:01). The Superintendent may also make a recommendation to the Board that an employee determined to having sexually harassed another person be suspended without pay or the person's employment with the District be terminated. Should either recommendation be given by the Superintendent, a formal adversarial hearing shall be held before the Board as set forth in **ACAA-R: Sexual Harassment – Administrative Regulation**.

IX. Appeal

A. Both parties have the right to appeal to the Board the Superintendent's determination regarding responsibility, and also from a dismissal of a formal complaint or any allegations therein, on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

B. As to all appeals, the Title IX Coordinator shall:

1. notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
2. ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
3. ensure that the decision-maker(s) for the appeal complies with the standard of evidence as required in this policy;

4. give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
5. ensure that a written decision is issued describing the result of the appeal and the rationale for the result, and provide the written decision simultaneously to both parties.

X. Consolidation of Formal Complaints

The District may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one complainant or more than one respondent, references in this section to the singular “party,” “complainant,” or “respondent” include the plural, as applicable.

XI. Dismissal of a Formal Complaint.

A. The District must investigate the allegations in a formal complaint. If the conduct alleged in the formal complaint would not constitute sexual harassment as defined in this policy even if proved, did not occur in the District’s education program or activity, or did not occur against a person in the United States, then the District must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment. However, the dismissal does not preclude action under another provision of the District’s code of conduct.

B. The District may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing:

1. a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
2. the respondent is no longer enrolled in or employed by the District; or
3. specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

C. Upon a dismissal required or permitted pursuant to subsections A. or B. above, the District shall promptly send written notice of the dismissal and reason(s) therefore simultaneously to the parties.

XII. Recordkeeping

A. The District shall maintain for a period of seven years records of:

1. each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the District’s education program or activity;
2. any appeal and the result therefrom;
3. any informal resolution and the result therefrom; and
4. all materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The District must make these training materials publicly available on its website. (If the District does not maintain a website, the District must make these materials available upon request for inspection by members of the public.)

B. For each response required under Section VI, the District shall create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment, document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the

District's education program or activity. If the complainant is not provided with supportive measures, the District shall document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

XIII. Retaliation Prohibited

A. Neither the District or other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy.

B. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this policy, constitutes retaliation.

C. Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination pursuant to the District's Sexual Harassment Policy - ACAA.

D. The exercise of rights protected under the First Amendment does not constitute retaliation prohibited by this provision.

E. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy does not constitute retaliation prohibited by this policy, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

XIV. Confidentiality

A. The District shall keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by Family Educational Rights and Privacy Act (FERPA), or as required by law, or to carry out the purposes of Title IX, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

B. The District shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the District to provide the supportive measures.

References	Description	Adoption History	
State Reference:		First Reading	8/28/2000
* <i>Moran v Rapid City Area School District</i>	Employee hearing due process	Approved	9/11/2000
		First Reading - Revision	2/12/2007
Federal Reference		Approved - Revision	2/26/2007
		First Reading - Revisions	5/12/2008
		Approved - Revisions	5/27/2008
CFR Title 34 Part 106	Nondiscrimination on the basis of sex	First Reading	8/25/2014
		Reviewed	9/8/2014

Title IX of the Education Amendments of 1972	Title IX of the Education Amendments of 1972	First Reading Approved - Revisions First Reading - Revision Approved - Revision First Reading - Revision Approved - Revisions First Reading - Update Approved - Update First Reading - Revision	10/1/2015 10/13/2015 8/14/2017 8/28/2017 8/13/2018 8/27/2018 10/26/2020 11/9/2020
USC Title 20 §1092(f)(6)(A)(v)	Definition of Sexual Assault		
USC Title 20 §1681 - 1688	Nondiscrimination on the Basis of Sex in Educational Programs and Activities		
USC Title 34 §12291(a)(8)	Definition of domestic violence		
USC Title 34 §12291(a)(10)	Definition of dating violence		
USC Title 34 §12291(a)(30)	Definition of stalking		
Policy Reference			
JF	Student Rights and Responsibilities		
JFA	Student Due Process Rights		
JFC	Student Conduct		
JFCC	Student Conduct on Buses		
JFCD	Student Bullying		

SECTION	A	TITLE	Foundations & Basic Commitment	FILE	ACAA-R
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Sexual Harrassment

Section 1 - Policy Statement

The District is committed to a school environment which is free from sexual harassment and conducive to all students' educational opportunities. Sexual harassment can inhibit a student's educational opportunities and an employee's work. Sexual harassment of students attending school in the District or students from other schools who are at a District activity, and sexual harassment of school employees, school volunteers, parents, guests, visitors and vendors of the District shall also not be tolerated and is strictly prohibited.

All students, school employees, school volunteers, parents, guests, visitors and vendors shall conduct themselves in a civil and responsible manner and in a manner consistent with school policies. This policy prohibiting sexual harassment shall apply to all students, school employees, school volunteers, parents, guests, visitors and vendors while on school property, while attending or participating in school activities, on school-owned property or on non-school property, while in any school-owned or leased vehicle, while at a school bus stop, or when in a private vehicle located on school property during school or during school activities.

The District's policy prohibiting sexual harassment is ACAA. This regulation supplements that policy, and the policy and these regulations are consistent with the federal regulations set forth in 34 CFR Part 106.

Students who violate the policy prohibiting sexual harassment shall be subject to appropriate disciplinary action, up to and including expulsion. Employees who violate this policy shall be subject to appropriate disciplinary action, up to and including termination of employment. School volunteers, parents, guests, visitors, and vendors who violate this policy may be prohibited from being on school property.

Complaints based on nondiscrimination in federal programs, complaints not related to sexual harassment, and complaints related to bullying are addressed through other school district policies and not through the policy prohibiting sexual harassment and this regulation.

Section 2 - Definitions

- A. Sexual Harassment. Federal law defines "sexual harassment" as conduct on the basis of sex that satisfies one or more of the following:
1. An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;
 2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or
 3. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

Sexually oriented words and actions which tend to annoy, alarm or be physically or verbally abusive toward another person and which serve no legitimate or valid purpose regardless of the intent of the person accused of the sexually

harassing conduct, constitutes sexual harassment. Not all harassment falls within the definition of sexual harassment (i.e., harassment that is of a sexual nature). Other laws, regulations and policies also prohibit inappropriate conduct and provide a means for addressing inappropriate conduct should it occur.

Sexual harassment is a specific type of harassment which is prohibited under this policy. Examples of sexual harassment include, but are not limited to:

- Unwelcome sexual flirtations, advances or propositions;
- Verbal comments, jokes, or abuse of a sexual nature;
- Graphic verbal comments about an individual's body, or his or her appearance;
- Sexually degrading words used to describe an individual;
- Accessing, displaying, or transmitting sexually explicit or pornographic material (including but not limited to images, pictures, videos, objects., etc.) including transmission or display via any medium;
- Physical contact or language of a sexually suggestive nature;
- Any sexually offensive or abusive physical conduct or contact.

B. Other definitions. Other definitions applicable to these Regulations are the definitions as set forth in Policy ACAA: Sexual Harassment, Section V.

Section 3 – Sexual Harassment Reporting Procedure

Any person may report sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.

Any student who believes that he or she has been or is being subjected to sexual harassment or has reason to suspect another person has been or is being subjected to sexual harassment may also report it to a teacher, guidance counselor, or school administrator. The report may be made verbally or in writing.

The written complaint or Sexual Harassment - Complaint Report Form: ACAA-E(1), must include the following:

- the date the written Complaint was filed or the Sexual Harassment - Complaint Report Form was completed,
- the school employee receiving the Complaint (if applicable),
- the name of the person reporting the sexual harassment,
- the address/phone # of the person reporting the sexual harassment,
- the specific conduct or nature of the sexual harassment complaint including the person(s) alleged to have sexually harassed the complaining party or another person, the date(s) and location where the conduct occurred, witnesses, etc.,
- the date the school employee completed the form (if applicable),
- the date and signature of the person reporting the sexual harassment.

If the signed written complaint was given to a teacher, guidance counselor or administrator, or if the Sexual Harassment - Complaint Report Form was completed by a teacher, guidance counselor or administrator, the teacher, guidance counselor or administrator shall forward the complaint or Sexual Harassment – Complaint Report Form to the Title IX Coordinator.

Regardless of whether or not a formal complaint is filed, should the District have actual knowledge of sexual harassment in a District educational program or activity against another person in the United States, the District shall respond promptly in a manner that is not deliberately indifferent (i.e., if the District's response to sexual harassment is clearly unreasonable in light of the known circumstances).

Section 4 - Retaliation Prohibited

- A. Neither the District or other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy.
- B. The prohibition against retaliation related to a sexual harassment complaint is set forth in full in Policy ACAA: Sexual Harassment, Section XIII, and by this reference incorporated herein as if set forth in full.

Section 5 - Procedure for Addressing Sexual Harassment Complaints

A. General Provisions.

- 1. The Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures (see Policy ACAA: Sexual Harassment, Section V, subsection m. and consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.
- 2. The timeframes set forth in these regulations shall be considered as a maximum length of time within which the related step is to be completed, however, the time frame may be within which the District is required to complete a step may be extended for good cause upon written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause includes, but is not limited to, utilization of the informal resolution process, availability of an investigator if not a school employee, complexity of the investigation, absence of a party, a party's advisor, a witness, or decision-maker (including a person necessary for addressing an appeal), concurrent law enforcement activity, or the need for language assistance or accommodation of disabilities;
- 3. Nothing in the policy or these regulations prohibit the District from removing a respondent from the District's education program or activity on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. However, nothing in the policy or regulations may be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act. Additionally, nothing in the policy or regulations prohibits the District from placing an employee respondent on administrative leave during the pendency of a grievance process. However, nothing in the policy or regulations may be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

B. Confidentiality.

- 1. The District shall keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by Family Educational Rights and Privacy Act (FERPA), or as required by law, or to carry out the purposes of Title IX (34 CFR part 106), including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.
- 2. The District shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the District to provide the supportive measures.

C. Informal Resolution.

1. The District may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with this policy, may not require the parties to participate in an informal resolution process under this policy, and may not offer an informal resolution process unless a formal complaint is filed.
2. Policy ACAA: Sexual Harassment, Section VII, is the section explaining informal resolution and by this reference incorporated herein as if set forth in full.

D. Formal Complaint.

1. Upon receipt of a formal complaint, the Title IX Coordinator shall provide the following written notice to the parties who are known:
 - a. Notice of the District's grievance process, including any informal resolution process.
 - b. Notice of the allegations of sexual harassment potentially constituting sexual harassment as defined in this policy, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice must include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice shall inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence. The written notice shall inform the parties of any provision in the District's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.
2. The District shall treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent. Remedies may be disciplinary in nature. Such remedies may include the same individualized services identified as supportive measures. Remedies must be designed to restore or preserve equal access to the District's education program or activity.
3. The District shall follow the grievance process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent.

E. Investigation of a Formal Complaint.

1. The District must investigate the allegations in a formal complaint. If the conduct alleged in the formal complaint would not constitute sexual harassment as defined in this policy even if proved, did not occur in the District's education program or activity, or did not occur against a person in the United States, then the District must dismiss the formal complaint with regard to that conduct. Such a dismissal does not preclude action under another provision of the District's code of conduct.
2. Unless the nature of the complaint and investigation dictate otherwise, the Investigation should be completed within sixty (60) calendar days of receipt of the complaint.
3. When investigating a formal complaint and throughout the grievance process, the District:

- a. shall have the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility;
 - b. shall provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
 - c. shall not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence, provided, however, nothing in this provision prohibits the District from taking disciplinary action due to a party retaliating against any person due to that person having made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy;
 - d. shall provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the District may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
4. If, in the course of an investigation, the District decides to investigate allegations about the complainant or respondent that are not included in the notice provided pursuant to Section 5, subsection D.1., the District shall provide notice of the additional allegations to the parties whose identities are known.
 5. Any party whose participation is invited or expected, shall be given written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
 6. All parties shall have equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the recipient does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.
 7. Prior to completion of the investigative report, the District must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least ten (10) calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report. The District shall make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.
 8. The investigator shall create an investigative report that fairly summarizes relevant evidence and, at least ten (10) calendar days prior to a determination by a decision-maker regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

F. Determination.

1. The decision-maker shall not be the same person as the Title IX Coordinator or investigator(s).
2. After the Investigator has sent the investigative report to the parties, and before reaching a determination regarding responsibility, the decision-maker must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. All parties shall have ten (10) calendar days from the date the investigatory report was sent to the parties to submit written, relevant questions to the decision-maker, who shall forward the questions to the other party following the ten (10)

period, unless all parties submitted questions prior to the end of the ten (10) day period. In such case, the decision-maker shall forward the questions upon receipt of questions by all parties. All parties shall have (5) calendar days to submit to the decision-maker and the other parties any written responses to the questions.

3. The decision-maker shall have fourteen (14) calendar days, after the expiration of time frame set forth in Section 5, subsection E.8. above, to issue a written determination as to the complaint.
4. The decision-maker shall not conduct an adversarial hearing unless the Board conducts a hearing following an appeal of the Superintendent's decision to the Board, or following the Superintendent's recommendation to the Board that a student determined to have sexually harassed another person be suspended long-term or expelled or recommend to the Board that an employee determined to having sexually harassed another person be suspended without pay or the person's employment with the District be terminated.
5. Standard of evidence. For all formal complaints of sexual harassment filed against students and employees, the standard of evidence to be used to determine responsibility is the preponderance of the evidence standard.
6. Upon recommendation of a decision-maker, on following an appeal of the decision-maker's determination, the Superintendent may make a recommendation to the Board that a student determined to have sexually harassed another person be suspended long-term or expelled (ARSD 24:07:01:01). The Superintendent may also make a recommendation to the Board that an employee determined to having sexually harassed another person be suspended without pay or the person's employment with the District be terminated. Should either recommendation be given by the Superintendent, a formal adversarial hearing shall be held before the Board.
7. Disciplinary sanctions. Following any determination of responsibility the District may implement disciplinary sanctions and remedies that include, but are not limited to:
 - a. if a student:
 - i. loss of privileges;
 - ii. detention;
 - iii. in-school suspension;
 - iv. long-term suspension;
 - v. expulsion.
 - b. if an employee:
 - i. written reprimand;
 - ii. written plan of improvement, which may include directive to obtain training related to sexual harassment and the prohibition against sexual harassment;
 - iii. suspension without pay;
 - iv. termination of employment.
 - c. if a guest or vendor:
 - i. restrict access to school property;
 - ii. deny access to school property.
8. The decision-maker must issue a written determination regarding responsibility. To reach this determination, the decision-maker shall apply the preponderance of evidence standard of evidence.
9. The written determination shall include:
 - a. identification of the allegations potentially constituting sexual harassment;
 - b. a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
 - c. findings of fact supporting the determination;
 - d. conclusions regarding the application of the District's code of conduct to the facts;
 - e. a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the District imposes on the respondent, and whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the District to the complainant; and
 - f. the District's procedures and permissible bases for the complainant and respondent to appeal.
10. The District shall provide the written determination to the parties simultaneously.

11. The determination regarding responsibility becomes final either on the date that the District provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

G. Appeal.

1. Both parties have the right to appeal to the Board the Superintendent's determination regarding responsibility, and from a dismissal of a formal complaint or any allegations therein, on the following bases:
 - a. Procedural irregularity that affected the outcome of the matter;
 - b. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
 - c. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
2. As to all appeals, the Title IX Coordinator shall:
 - a. notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
 - b. ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
 - c. ensure that the decision-maker(s) for the appeal complies with the standard of evidence as required in this policy;
 - d. give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
 - e. ensure that a written decision is issued describing the result of the appeal and the rationale for the result, and provide the written decision simultaneously to both parties.
3. Appeal to the Superintendent. The following procedure shall be used to address an appeal of the decision-maker's determination to the Superintendent:
 - a. If a party is not satisfied with the decision-maker's determination, or if the decision-maker's determination does not without good cause render a written decision within fourteen (14) calendar days of the expiration of time frame set forth in Section 5, subsection E.8., that party may appeal to the Superintendent by filing form ACAA-E(2), Sexual Harassment - Complaint Appeal to the Superintendent. The appeal must be filed within ten (10) calendar days of receipt of the decision-maker's written decision, or ten (10) days of the deadline for the decision-maker's written decision, whichever comes first. The appealing party must attach the decision-maker's written determination.
 - b. Within fourteen (14) calendar days from the date the appeal was filed, the Superintendent shall render a decision in writing. All parties shall receive copies of the decision. The Superintendent shall uphold, reverse, modify the decision-maker's decision, or the Superintendent may refer the matter back to the decision-maker for further investigation and supplemental decision which decision may restate, modify or reverse the decision-maker's initial decision. A supplemental decision by the decision-maker after a referral back to the decision-maker may be appealed to the Superintendent.

4. Appeal to the School Board. If a party is not satisfied with the Superintendent's decision, or if the Superintendent does not without good cause render a written decision within fourteen (14) calendar days of the receipt of the appeal, that party may appeal to the School Board by filing with the Business Manager using Form ACAA-E(3), Sexual Harassment – Complaint Appeal to the School Board, within ten (10) calendar days of receipt of the Superintendent's written decision, or ten (10) days of the deadline for the Superintendent's written decision, whichever comes first. The appeal shall be in writing and the appealing party must attach to the appeal the decision-maker's written decision, the appeal to the Superintendent, and the Superintendent's written decision or notice of the Superintendent's failure to render a written decision.

The following procedure shall be used by the Board to address an appeal of the Superintendent's decision on the merits related to a sexual harassment complaint:

1. Upon receipt by the Board President/Chairperson of an appeal by the Complainant, a copy of the appeal shall be given to the person alleged to have violated the sexual harassment policy;
2. Upon receipt of an appeal, the Board shall at its next meeting schedule a date, time and location for the appeal hearing.
3. The following procedure shall be applicable at the appeal hearing before the Board:
 - A. The Board shall appoint a board member or a person who is not an employee of the school district as the hearing officer;
 - B. Within thirty (30) calendar days of an appeal being filed with the Board, the Board shall conduct a hearing in executive session;
 - C. The Complainant, person alleged to have violated the sexual harassment policy, and Superintendent each have the right to be represented at the hearing;
 - D. The Board shall make a verbatim record of the hearing by means of an electronic or mechanical device or by court reporter. This record and any exhibits must be sealed and must remain with the hearing officer until the appeal process has been completed;
 - E. The issue on appeal is whether the Superintendent's decision should be upheld, reversed or modified;
 - F. All parties shall be given the opportunity to make an opening statement, with the appealing party being given the first opportunity, followed by the other party, and then the Superintendent;
 - G. The appealing party shall present his or her case first, and the other party shall then present his or her case. Both parties shall have the opportunity to ask questions of the other's witnesses. The hearing officer and board members may ask questions of any witness;
 - H. The Superintendent shall present the basis of his/her decision which led to the appeal. Both parties shall have the opportunity to ask the Superintendent questions. The hearing officer and board members may also ask questions of the Superintendent;
 - I. Unless a witness is a party to the appeal, witnesses may be present only when testifying unless the hearing officer rules otherwise. All witnesses must take an oath or affirmation administered by the School Board president, hearing officer or other person authorized by law to take oaths and affirmations;
 - J. The hearing officer shall admit all relevant evidence. The hearing officer may limit unproductive or repetitious evidence. The strict rules of evidence do not apply. *Moran v. Rapid City Area School Dist.*, 281 N.W.2d 595, 602 (S.D. 1979).

- K. All parties shall be given the opportunity to make a closing statement, with the appealing party having the first opportunity, followed by the other party, and then the Superintendent. The appealing party shall be given the opportunity for a brief rebuttal;
- L. After the evidentiary hearing, the Board shall continue to meet in executive session for deliberations. No one other than the hearing officer may meet with the Board during deliberations. The Board may seek advice during deliberation from an attorney who has not represented any of the parties to the hearing. Consultation with any other person during deliberation may occur only if a representative of both parties and Superintendent are present. The Board may, in its sole discretion, continue the proceedings and make a final decision on the appeal at a later date. Within twenty (20) calendar days of the hearing, the Board shall render its decision and issue its written Findings of Fact, Conclusions of Law and Decision. The time frame for rendering a decision may be extended by the Board President for good cause and upon written notification to both parties and the Superintendent, and the notification shall identify the reason for the extension and the date on or before which the decision shall be rendered;
- M. The decision of the School Board must be based solely on the evidence presented at the hearing and must be formalized by a motion made in open meeting. The Board will convene in open session and a motion to uphold, reverse, or modify the Superintendent's decision shall be made and voted upon. Findings of Fact, Conclusions of Law and Decision, consistent with the Board motion shall be in writing and approved by the Board. Both parties, the decision-maker and the Superintendent will receive copies after the Findings of Fact, Conclusions of Law and Decision are approved by the Board.
- N. Following the Board hearing, should the Board determine there has been a violation of this policy prohibiting sexual harassment, Board action may include but is not limited to the following: (1) suspend or expel a student from any or all school programs, including but not limited to classes, extracurricular activities, or attendance at school activities; (2) pursuant to statute, reprimand, suspend without pay, or terminate the contract of an employee, or (3) prohibit a third person from being on school property or at school activities for such time as may be determined by the Board.
- O. If either party is dissatisfied with the Board's decision, that party may appeal the decision by filing an appeal pursuant to applicable law.

Section 6 - Miscellaneous

- A. Consolidation of formal complaints. The District may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where a grievance process involves more than one complainant or more than one respondent, references in this section to the singular "party," "complainant," or "respondent" include the plural, as applicable.
- B. Dismissal of Complaint:
 - 1. The District may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing:
 - a. a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
 - b. the respondent is no longer enrolled in or employed by the District; or
 - c. specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
 - 2. Upon a dismissal required or permitted pursuant to Section 6, subsection B.1. above, the District shall promptly send written notice of the dismissal and reason(s) therefore simultaneously to the parties.

3. Any party whose participation is invited or expected, shall be given written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
4. Both parties shall have equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the recipient does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.

Board Approved ~~11/9/2020~~

SEXUAL HARASSMENT COMPLAINT REPORT FORM

Date Form Completed: _____

Form Completed by: _____

Person Reporting the Sexual Harassment: _____

Address/Phone # of the Person Reporting the Sexual Harassment:

Nature of Complaint: (With specificity, identify the person(s) alleged to have sexually harassed, the conduct which is the basis of the sexual harassment complaint, when/where the conduct occurred, the person(s) alleged to have sexually harassed, witnesses, and any other pertinent information):

(use additional sheets if necessary).

Date School Employee Completing the Sexual Harassment Report Form

Date Person Reporting the Sexual Harassment

SECTION	J	TITLE	STUDENTS	FILE	JEAA
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Students Alternative Instruction

Children of compulsory school age must regularly attend **school, either public, nonpublic, or alternative instruction.** ~~some public or non-public school, unless excused from school attendance.~~

Notification:

Notification of alternative instruction must be submitted on the South Dakota Department of Education notification form that declares the child will be provided with alternative instruction. The notification may be submitted electronically through the SD Department of Education's online system or by providing the completed paper notification form to the District or the SD Department of Education. If the District receives a completed paper notification form, the District will date and sign or stamp the form acknowledging receipt of the notification and provide a copy to the parent, guardian or other person having control of the child. The District will then provide the completed paper notification form to the SD Department of Education. The notification will be kept confidential.

The alternative instruction notification shall be submitted to the SD Department of Education or the District within thirty (30) days from the first time the child begins an alternative instruction program, enrolls in a public or nonpublic school, or moves to a different school district. Upon filing of a notification with the SD Department of Education or the District from the parent, guardian or other person having control of the child, the South Dakota Department of Education or the District has been notified that the child is being provided with alternative instruction.

Enrollment on Partial Basis:

Upon request from a child's parent or legal guardian, the District will admit a child who is a resident of the District who is being provided alternative instruction to enroll in one or more classes, while receiving alternative instruction for the balance of his or her education. Upon enrollment, the partially enrolled alternative instruction students must comply with the District's rules and procedures and have the same rights and responsibilities as publicly enrolled students.

Open Enrollment:

School board approval is required in order for a nonresident alternative instruction student to be enrolled in the District, in accordance with the District's open enrollment policy.

Note: The Department of Education Form, **Alternative Instruction Notification Public School Exemption Certificate**, can be found on the South Dakota Department of Education website under "Home School".

~~Upon filing of a notification with a school official from the parent or legal guardian of the child because the child is otherwise provided with alternative instruction for an equivalent period of time, as in the public schools, in the basic skills of language arts and mathematics, the child shall be excused, without the necessity of school board action. The Secretary of the Department of Education may inspect the attendance records and records showing academic progress of an alternative education program with fourteen days written notice if~~

the Secretary has probable cause to believe the program is not in compliance with this section. Failure to provide instruction is grounds for the school board, upon thirty days' notice, to revoke the excuse from school attendance.

The notification of alternative instruction must be submitted on the South Dakota Department of Education notification form and filed annually with the school district. Failure to submit the notification form prior to the student's expected first day of attendance will be subject to truancy action.

A child so excused from school shall take any test(s) required by State law. A permanent record of all certificates of excuse shall be kept. Failure to complete required testing may result in a recommendation to revoke the excuse from school attendance.

REFERENCES

State Reference:

- SDCL 13-27-1
- SDCL 13-27-2
- SDCL 13-27-3
- SDCL 13-27-7
- SDCL 13-27-8
- SDCL 13-27-9
- SDCL 13-27-29

Federal Reference:

USC Title

Adoption History

First Reading	8/8/11	First Reading - Revision	
Approved	8/22/11	Approved - Revision	
First Reading-Revision	11/9/15		
Approved - Revision	11/23/15		
First Reading - Revision	8/15/16		
Approved - Revision	8/29/16		
First Reading	6/27/19		
Approved - Revision	7/22/19		

NOTIFICATION FOR PUBLIC SCHOOL EXEMPTION CERTIFICATE SDCL 13-27-3

Per SDCL 13-27-7. Notice must be filed annually
 Per SDCL 13-27-2, As soon as a family files this notification, it immediately becomes effective. No approval action is required by the school board.

PLEASE PRINT OR TYPE LEGIBLY - ITEMS 1-14 MUST BE COMPLETED BY PARENT/GUARDIAN

1. Public School District _____ School Year 20____ - 20____
 2. Parent(s) or Guardian _____
 3. Address _____ 4. City _____
 5. County _____ 6. State _____ 7. Zip _____
 8. Phone _____ Email _____
 9. School Location: HOME OTHER (Describe 'Other'- example: Group / Organization / Church, etc)

10. Address _____
 11. Phone _____
 12. Instructor Name(s): _____
 13. List each child that will be receiving alternative instruction:

NAME – Last / First / Middle Initial	Gender M/F	Date of Birth MM/DD/YYYY	Grade	*Testing Year Y/N

***Per SDCL 13-27-3 Each child receiving alternative instruction who is in grades four, eight, or eleven shall take a nationally standardized achievement test of the basic skills.**

Required

Parent/Guardian Signature: _____ **Date:** _____

14. Per SDCL 13-27-3.1 parent(s)/guardian(s) upon filing an initial exemption notification must include for each child:

- a. A certified copy of the child's birth certificate, within 30 days of initial enrollment or excuse; **OR**
- b. Affidavit in lieu of the birth certificate as issued by the Department of Health;

This documentation must be included in subsequent years **only** for any new children added to the form.

****If neither a certified copy of the child's birth certificate or the Department of Health affidavit is available the affidavit on the back of this form must be completed.**

Confirmation of receipt by the district (not required for approval): _____
District Representative

Parent/Guardian Instructions: Submit the completed form to the public school district office where you reside.

School District Instructions: Send one copy of this notification to SD Department of Education 800 Governors Dr. Pierre, SD 57501. Provide one copy to parent/guardian.

SECTION	I	TITLE	INSTRUCTION	FILE	INDA
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PATRIOTIC EXERCISES / FLAG DISPLAYS / ORGANIZATIONS

The American flag will be flown from the mast at each school every day that school is in session. The principal of the attendance center is responsible for flying the flag on school days. A small flag shall be provided for each classroom. The District shall provide all students the opportunity to salute the United States and the flag each day by reciting the Pledge of Allegiance to the Flag of the United States. A student may choose not to participate in the salute to the United States and the flag; however, a student who does not participate in the salute shall maintain a respectful silence during the salute. The national anthem may be sung during any school day or school event.

Observation and commemoration of special days and events will be considered a valuable part of the instructional program of the school.

Representatives of Patriotic and National Organizations listed in Title 36 of the United States Code, as of July 1, 2018, shall be allowed to speak to students during regular school hours during the first quarter of each academic school year. The Patriotic and National Organization shall provide the school principal with verbal or written notice of the organizations desire to speak to the students to inform the students about the civic involvement of the organization, and to explain how students may participate in or join the patriotic organization. The school principal has discretion over the time, place, and manner when representatives of the organization are allowed to speak to students.

Examples of Patriotic and National Organizations include, but are not limited to:

- American Legion
- Boy Scouts of America
- Boys and Girls Club of America
- Future Farmers of America
- Girl Scouts of the United States of America
- Paralyzed Veterans of America
- Veterans of Foreign Wars of America

Note: The District may allow a Patriotic and National Organization to speak with students after the first quarter of the academic school year. However, if such a request was made and granted after the first quarter of the academic school year it may be difficult to deny a similar request from other Patriotic and National Organizations. ASBSD sample policies are intended to be a guide for school districts. As is the case with any policy, a local school district’s unique circumstances, challenges and opportunities need to be considered.

REFERENCES

State Reference:

SDCL 13-24-17

SDCL 13-24-17.2

SDCL 13-24-22

Federal Reference:

USC Title 36

Adoption History

First Reading	10/26/2015		
Approved	11/09/2015		
First Reading - Revised			

SECTION	J	TITLE	Students	FILE	JFB
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Education of Homeless Children

The McKinney-Vento Homeless Assistance Act guarantees rights and services to remove educational barriers for homeless children and youth.

A homeless child is an individual age 21 and under eligible for public education services under state and federal law who lacks a fixed, regular, and adequate nighttime residence. The term includes children and youth who are:

- **Sharing the housing of other persons due to loss of housing, economic hardship or a similar reason; Living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations;**
- **Living in emergency or transitional shelters;**
- **Abandoned in hospitals;**
- **Have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings;**
- **Living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and**
- **Migratory children who qualify as homeless because they are living in circumstances described above.**

The Board will appoint a liaison for homeless children.

Every ~~child of a homeless individual and every~~ homeless child is entitled to equal access to the same free, appropriate public education as provided to other students. **The District will strive to ensure the enrollment and attendance of homeless children not currently attending school.** The District **will enroll** ~~and admit~~ **must assign** a child who is homeless to a District school regardless of residence and irrespective of whether the homeless child is able to produce records normally required for enrollment. ~~The District may not require an out-of-district attendance agreement and tuition for a homeless child.~~

Homeless students will have access to services comparable to those offered to other students, including but not limited to:

1. Transportation services;
2. Educational services for which a student meets the eligibility criteria, **(e.g. Title 1)** ~~such as services provided under Title I;~~
3. Educational programs for children with disabilities and limited English proficiency;
4. Programs in vocational and technical education;
5. Programs for gifted and talented students; and
6. School nutrition programs.

The District will strive to ensure the enrollment and attendance of homeless children not currently attending school. [this is the same sentence from 2 paragraphs above]

The District ~~The Superintendent~~ will review and revise as necessary **those policies,** rules or procedures that

may be barriers to enrollment of homeless children and youths. In reviewing and revising such procedures, the **District Superintendent** will consider issues of transportation, immunization, residence, birth certificates, school records and other documentation.

The Superintendent will give special attention to ensuring the enrollment and attendance of homeless children and youths not currently attending school. The Superintendent will appoint a liaison for homeless children.

A “homeless individual” is defined as provided in the McKinney Homeless Assistance Act.

Anyone having a concern or complaint regarding placement or education of a homeless child will first present it orally and informally to the District homeless liaison. Thereafter, a written complaint must be filed in accordance with the District Uniform Complaint Procedure.

Dispute Resolution Process

The District has developed a dispute resolution process for when parents, guardians, or an unaccompanied child and the District disagree on the eligibility, enrollment, or educational placement of the homeless child. When a dispute arises, the child shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute. Should a dispute occur regarding eligibility, enrollment, or school selection of a homeless child, the dispute process as outlined in regulation JFB-R(1) must be used.

The District will provide a written explanation of the decision to the parent or, in the case of an unaccompanied child, to the unaccompanied child. The written explanation must include a description of the parent’s or unaccompanied child’s right to appeal the decision.

The designated District Homeless Liaison is responsible for carrying out the dispute resolution process in an expeditious manner.

REFERENCES

State Reference:

Federal Reference:

USC Title 42 Chapter 119 §11431

Cross References:

JECG - Education of Students in Foster Care

Adoption History

First Reading (JECBB)	8/25/2008		
Approved	9/8/2008		
First Reading (JFB)	11/23/20015		
Approved-Revision	12/14/2015		
First Reading	1/10/2022		

POSITION TITLE & DETAILS			
TITLE	School Resource Officer		
WORK DAYS	Per M.O.U.	REPORTS TO	Building Principal, School Resource Officer Supervisor
SALARY SCHEDULE	Per M.O.U.	SUPERVISES	None
GROUP	Per M.O.U.	EVALUATION	Performance will be evaluated by the School Resource Officer Supervisor with input from Building Principal
FUNCTIONS	The School Resource Officer (SRO), works in collaboration with school administration to provide law enforcement support and presence, and fosters a positive school climate through providing crime prevention, education, mentorship, and service as a law enforcement role-model for the Douglas District community.		

MINIMUM REQUIREMENTS	
EDUCATION	Two years as a law enforcement officer, and applicable law enforcement training.
CERTIFICATIONS / LICENSE	<ul style="list-style-type: none"> Valid Law Enforcement Credentials as required by the State of South Dakota.
WORK EXPERIENCE	<ul style="list-style-type: none"> Active member of supporting Law Enforcement agencies specifically designated within the School Resource Officer MOU.

DUTIES AND RESPONSIBILITIES	
	<ul style="list-style-type: none"> Be an extension of the Principal's office for assistance and consistency whenever a situation arises that is, or likely to become, criminal in nature, a present or potential danger to the staff, students, visitors or school property exists, or an issue that requires the assistance of additional personnel. Be a visible, active, law enforcement figure, in hallways, classrooms, parking lots and during events, while dealing with law enforcement matters and school code violations originating on the assigned campus. Refer students appropriately to the principal's office for discipline as necessary. Act as the designee of the campus administrator in maintaining a safe environment as to law enforcement matters and code violations. Assist in the monitoring of buildings, grounds, parking lots, lockers, and public school property, during school hours, before and after school.

- Be a classroom instruction resource for staff on issues pertaining to law, law enforcement, public safety, drug/alcohol use and other appropriate topics using approved materials.
- Be a resource for students which will enable them to be associated with a law enforcement figure and role model in the student environment.
- Be a resource for teachers, parents, and students for matters dealing with individual problems or questions.
- Be an expert speaker, for parents and other groups, on a variety of topics, particularly drug and alcohol abuse as well as internet safety.
- Be involved in discipline when it pertains to preventing disruption to the school environment, that, if ignored, may place students, faculty and staff at risk of harm.
- Report all crimes originating on campus.
- Provide information to school administration about persons or conditions which may pertain to campus safety.
- Act as a liaison between the schools and community help agencies such as mental health clinics, drug treatment centers, etc.
- Strategize with the building principal to develop preventative plans designed to reduce incidents and minimize dangerous situations.
- Provide community-wide crime prevention presentations as requested.
- Maintain an appropriate, professional appearance at all times as defined in law enforcement dress-code policies, and recognizable by badge, credentials or emblem.
- Maintain a high level of professionalism in both actions, dress, and appearance.
- Maintain personal weapon access, and safety, within the building.
- Coordinate emergency response efforts as directed within the Douglas District Crisis Plan.
- Investigate truancy concerns, and assist in filing appropriate reports.
- Conduct home visits, as necessary, for truancy and child welfare concerns.

Data Predictions
1.24.2022
BOE Data Review

One of my beliefs is that we need to look at data to help us make the best decisions possible for our district. As a simple starting point, I believe it is important to have an understanding, based on data, of our district demographics. We have put together a data set, based on public information reported by SDDOE from the 5 districts with k-12 enrollment below us and the 10 districts with k-12 enrollment above us. The data review will help us gain a better understanding of our district in relation to districts with similar enrollment.

Question 1: Given the following data categories, what predictions might you make about the data? (Pre Data Review)

- Open Enrollment Students Received
- Eligible for Free/Reduced Lunch
- District Dropout Rate
- District Attendance Rate
- Student to Staff Ratio
- Cost per ADM (Average Daily Membership)
- Average Teacher Salary
- Average Years of Experience
- % with Advanced Degrees
- Certified Instructional Staff
- Number of Graduates
- Composite ACT
- Number of Students Tested ACT
- # of Students
- # of Teachers
- # of Administrators
- American Indian
- Hispanic
- White
- Other
- Economically Disadvantaged
- % Military Connected
- Students with Disabilities
- District Performance ELA
- District Performance Mathematics
- Attendance Rate
- High School Completion
- College and Career Readiness
- Chronic Absenteeism

*Note: you may notice a few discrepancies in the data . . . %Special Needs Students and Students with Disabilities and Eligible for Free/Reduced Lunches and Economically Disadvantaged and Military Connected (19.1% is about ½ of our military connected population, we are working on ensuring accuracy of data. . .)

Question 2: After reviewing the data set, what questions might you have? After reviewing the data, reflect on the accuracy of your predictions. How might this new knowledge change some assumptions you have about our district? (Post Data Review Question)

SDDOE 2019-2020 Profile as of 12/10/2020

Size	District	F19 PK-12 Enrollment	F19 K-12 Enrollment	Open Enrollment Students Received	Home School ADM	% Special Needs Students	Eligible for Free/Reduced Lunch	District Dropout Rate	District Attendance Rate	Student to Staff Ratio	Cost per ADM	Average Teacher Salary	Average Years of Experience	% with Advanced Degrees	Certified Instructional Staff	Number of Graduates	Composite ACT	Number of Students Tested ACT
"+10	Harrisburg 41-2	5,169	5,121	86	137.1	18.4%	14.3%	0.4%	97.1%	14.3	\$8,400	\$48,974	9.6	34.1	362.6	219	22.1	174
"+9	Brandon Valley 49-2	4,423	4,386	239	139.9	14.4%	16.9%	0.2%	97.1%	17.7	\$7,978	\$53,576	13.4	36.8	250.4	251	23.2	197
"+8	Aberdeen 06-1	4,483	4,471	61	164.9	18.9%	31.7%	0.3%	95.9%	14.9	\$8,373	\$50,003	13.8	45.6	301.8	278	20.8	170
"+7	Watertown 14-4	3,911	3,840	51	91.4	15.9%	30.2%	0.7%	96.3%	16.2	\$8,412	\$52,218	14.8	31.4	241.6	234	23.2	160
"+6	Brookings 05-1	3,410	3,410	154	114.4	17.1%	23.2%	0.6%	96.1%	14.6	\$8,481	\$47,339	14.3	40.4	231.5	211	23.7	147
"+5	Meade 46-1	2,948	2,948	327	183.5	16.1%	30.3%	1.3%	96.4%	14.8	\$8,215	\$48,084	13.3	35.6	199.6	125	21.9	82
"+4	Yankton 63-3	2,928	2,763	59	77.0	16.9%	33.2%	0.0%	96.8%	17.3	\$8,305	\$52,248	17.6	52.6	169	202	23.4	125
"+3	Mitchell 17-2	2,775	2,775	83	50.7	18.2%	36.5%	1.2%	96.7%	14.9	\$8,439	\$52,039	15.2	45	186	161	22.8	96
"+2	Huron 02-2	2,807	2,807	57	70.8	18.8%	57.1%	3.5%	95.6%	16.6	\$9,084	\$50,381	14.1	38.6	169.4	151	20.1	77
"+1	Pierre 32-2	2,775	2,775	256	80.1	12.1%	27.0%	0.6%	96.5%	16.5	\$7,675	\$48,814	12.7	30.8	168	186	22.8	138
	Douglas 51-1	2,856	2,836	112	205.0	14.4%	31.8%	1.3%	95.8%	15.5	\$8,854	\$56,666	15.9	72.2	184	163	21.5	63
-1	Spearfish 40-2	2,394	2,394	127	135.8	13.8%	21.8%	1.0%	96.5%	15.2	\$7,680	\$49,287	13	29.4	157.8	143	21.8	92
-2	Todd County 66-1	2,134	2,134	0	22.0	16.4%	>90%	5.3%	87.4%	12.8	\$12,331	\$49,349	7.5	22.8	166.9	103	14.7	88
-3	Tea 41-5	1,950	1,950	160	41.8	13.1%	17.8%	0.0%	97.6%	16.1	\$7,329	\$47,202	9.9	35.5	121	117	21.1	90
-4	Oglala Lakota 65-1	1,333	1,309	0	24.0	26.1%	>90%	6.3%	94.9%	13.5	\$18,382	\$59,193	12.2	16.7	87.6	10	N/A	0
-5	Dakota Valley 61-8	1,382	1,382	76	13.0	11.1%	13.7%	0.9%	96.7%	15.7	\$8,018	\$51,105	11.8	37.8	87.3	99	23.4	73
	State	139,442	136,133	8764	5251.0	15.8%	35.5%	1.5%	96.1%	14.2	\$9,420	\$48,984	13.5	37.7	9,761	8,101	21.8	5,269

FROM SDDOE REPORT CARD 2020-2021

Size	District	# of Students	# of Teachers	# of Admin	Race				Economically Disadvantaged	% Military Connected	Students with Disabilities	District Performance ELA	District Performance Mathematics	Attendance Rate	High School Completion	College and Career Readiness	Chronic Absenteeism
					American Indian	Hispanic	White	Other									
"+10	Harrisburg 41-2	5,405	385.9	14.0	0.7%	3.9%	87.1%	8.3%	13.1%	0.0%	16.5%	64.0%	53.0%	97.0%	97.0%	53.0%	6.0%
"+9	Brandon Valley 49-2	4,643	255.1	10.3	0.7%	3.4%	86.1%	9.8%	6.3%	3.5%	13.5%	71.0%	61.0%	87.0%	99.0%	63.0%	17.0%
"+8	Aberdeen 06-1	4,473	300.8	15.7	5.7%	7.4%	75.9%	11.0%	31.7%	0.1%	17.1%	55.0%	46.0%	94.0%	94.0%	60.0%	14.0%
"+7	Watertown 14-4	3,850	236.2	16.0	4.0%	5.1%	85.1%	6.0%	29.9%	0.3%	15.3%	57.0%	45.0%	90.0%	97.0%	53.0%	19.0%
"+6	Brookings 05-1	3,344	236.1	9.0	1.9%	6.1%	80.5%	11.5%	12.3%	0.3%	15.2%	52.0%	42.0%	88.0%	89.0%	62.0%	19.0%
"+5	Meade 46-1	2,985	206.6	9	2.5%	4.7%	86.4%	6.4%	25.0%	0.6%	13.0%	56.0%	46.0%	92.0%	97.0%	64.0%	14.0%
"+4	Yankton 63-3	2,801	166.4	10	5.1%	8.8%	79.2%	6.9%	31.1%	0.0%	15.2%	60.0%	50.0%	97.0%	97.0%	48.0%	6.0%
"+3	Mitchell 17-2	2,797	183.5	10	6.7%	7.6%	81.2%	4.5%	32.7%	0.0%	16.6%	63.0%	56.0%	88.0%	93.0%	64.0%	17.0%
"+2	Huron 02-2	2,774	170.9	8.01	2.3%	28.1%	43.7%	25.9%	54.1%	0.0%	16.7%	45.0%	30.0%	86.0%	83.0%	32.0%	24.0%
"+1	Pierre 32-2	2,766	171.4	9	14.4%	4.6%	70.0%	11.0%	27.0%	0.0%	10.6%	55.0%	48.0%	77.0%	92.0%	55.0%	31.0%
	Douglas 51-1	2,755	180.3	8.75	6.5%	9.7%	69.6%	14.2%	26.2%	19.1%	13.7%	49.0%	39.0%	89.0%	92.0%	63.0%	20.0%
-1	Spearfish 40-2	2,359	168.7	7.5	2.4%	5.0%	87.5%	5.1%	18.9%	0.2%	11.5%	56.0%	45.0%	93.0%	94.0%	65.0%	12.0%
-2	Todd County 66-1	2,156	160.8	12.88	96.3%	1.6%	0.9%	1.2%	99.7%	0.0%	11.5%	20.0%	<7%	37.0%	76.0%	11.0%	74.0%
-3	Tea 41-5	2,045	123.7	8	1.6%	5.0%	85.8%	7.6%	17.9%	0.3%	11.9%	63.0%	54.0%	95.0%	100.0%	68.0%	11.0%
-4	Oglala Lakota 65-1	1,754	114.3	11.5	95.4%	2.4%	0.4%	1.8%	83.3%	0.0%	21.8%	<7%	<7%	60.0%	71.0%	<7%	47.0%
-5	Dakota Valley 61-8	1,376	89.0	3.8	1.6%	8.0%	79.3%	11.1%	10.7%	0.0%	10.0%	60.0%	46.0%	95.0%	95.0%	76.0%	8.0%
	State	135,960	9825.0		10.7%	7.1%	72.0%	10.2%	35.8%	1.5%	14.5%	53.0%	43.0%	88.0%	90.0%	57.0%	18.0%